

California History

The Magazine of the California Historical Society

winter 1978/79



THE CALIFORNIA HISTORICAL SOCIETY, founded in 1871, preserves historical source materials and facilitates their use by both scholars and laymen. The Society's publications, programs, and library services seek to stimulate interest in the historical events and ideas that continue to shape life in California today. Membership is open to all.

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COVER

Finding shelter from the wind off the ocean, two ladies in Sunday finery at the turn of the century munch boxes of Cracker Jacks in the dunes along San Francisco's Great Highway south of Irving Street. Barely visible across the roadway is Carville, a community of beach hideaways and club houses created by converting the city's outmoded horsecars into modular shelters. The story of this short-lived oceanside community begins on page 308. *CHS Library*.

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The month of November, 1933, began peacefully in San Jose. With 82,000 residents, forty-six churches, twenty-nine schools, and seven well-kept parks, the Santa Clara Valley city was a handsome, comfortable town which well deserved its sobriquet, "The Garden City." The economic pressures of the Great Depression had been felt in San Jose in 1933, but, in spite of the hardships suffered by many of its citizens, the city was remarkably prosperous. As the commercial center of a four-county trading area, it had nearly 400 business establishments which, between them, employed 12,000 men and 8,000 women. Three-quarters of its nearly 20,000 homes were owner-occupied, and assessed property values totaled nearly \$50,000,000.¹ Eighty-three years earlier, in 1850, San Jose had served as capital of the State of California, a distinction it soon lost to Vallejo, Benicia, and, finally, Sacramento. But in 1933 it was still the administrative seat of Santa Clara County and, as such, a civic and governmental center of importance. County government centered on the wooded expanse of St. James Park, where a columned courthouse looked down on acres of elms and palms and a heroic bronze statue of the assassinated President William McKinley. The courthouse, which faced the First Street side of the park, was flanked by the stone Hall of Records and the rising walls of the new United States Post Office, under construction. Behind the Hall of Records was the Hall of Justice, and, between it and the courthouse, the Santa Clara County Jail.²

On busy afternoons, when shiny motorcars crowded nearby Santa Clara Street and pedestrians paused to gaze in the windows of Hart's Department Store, the quiet of St. James Park was broken only by the voices of playing children or the occasional barking of dogs. On Sunday mornings, the park was no quieter than on week-

Shadows in St. James Park

Mr. McGinty is an attorney and writer whose work has appeared in numerous popular magazines and scholarly journals, including the *California Historical Quarterly*. His most recent book is *The Palace Inns: A Connoisseur's Guide to Historic American Hotels*.

days, but on that day a reverent air fell over its trees as bells summoned worshippers to the shadowy nave of Trinity Episcopal Church, which stood opposite the south side of the park. In all, San Jose was a model of middle-American respectability—hardly a likely setting for one of the most turbulent dramas ever to rock California and the West.

Hart's Department Store, situated at the southeast corner of West Santa Clara and Market streets, had begun in the 1880's as a small dry goods and clothing store.³ By 1933, it had grown into one of the city's two largest department stores. Alex Hart, president of the store, lived with his wife and four children in a handsome home on The Alameda, a fashionable residential thoroughfare on the west side of town.⁴ The white columned house, which stood at the head of a broad lawn, was described by many in town as a mansion. Certainly the Harts were among San Jose's wealthiest families, with extensive investments in local business. Brooke Hart, eldest of Alex and Nettie Hart's two sons, was a fair-haired young man of twenty-two who had recently graduated from the University of Santa Clara. In September, Brooke had been made a vice-president in his father's firm, and the event had been celebrated with a festive banquet at the De Anza Hotel.⁵ The Harts were a Jewish family, but they seemed to be well-accepted by their predominantly Protestant neighbors. At the Jesuit University of Santa Clara, Brooke had won the friendship of many students and the admiration of several professors. Alex Hart had not learned to operate an automobile, but Brooke was a skillful driver who loved to pilot his sleek Studebaker roadster between the family home on The Alameda and the store on West Santa Clara.

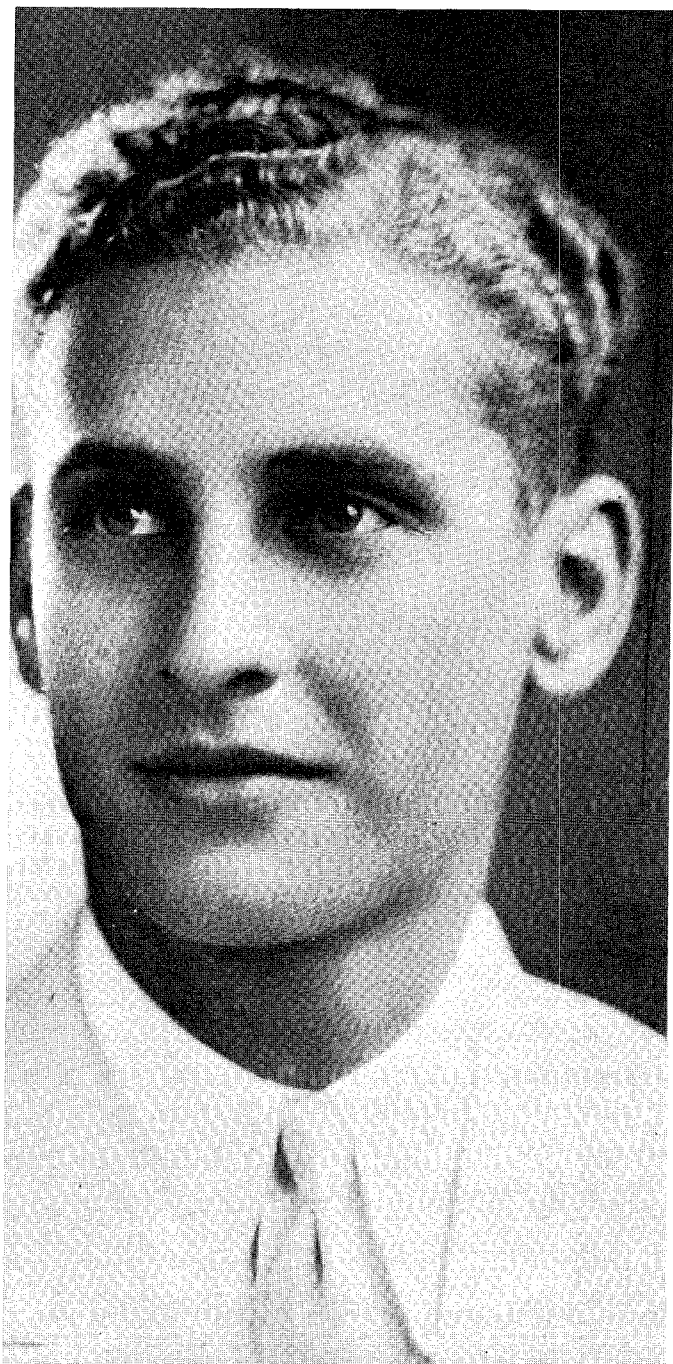
Brooke Hart was behind the wheel of his car in the early evening of Thursday, November 9. He had left the store about five minutes before six, walked a block to a parking lot at Market and Post streets, then slipped behind the wheel of his car. At the store, Alex Hart waited for his son, who was to pick him up and drive

him to a Chamber of Commerce dinner.⁶ When several minutes passed and Brooke did not appear, the elder Hart became alarmed. A search of the parking lot revealed that the Studebaker was gone, and neither the vehicle nor its driver was anywhere in sight. The police were notified, then the sheriff, and soon a search was under way. At home, Alex and Nettie Hart waited anxiously for news. By 10:30 P.M. they received a telephone call from an unknown man who said Brooke had been kidnapped and was being held for \$40,000 ransom. The caller promised to be in touch with the Harts in the near future to advise how the ransom was to be paid.⁷

A short time after midnight, the kidnap victim's roadster was found abandoned on Evans Road near the town of Milpitas, about seven miles north of San Jose. A local rancher said he had seen the car parked near his place since about seven in the evening.⁸

Another telephone call was received by the family on Friday. Thereafter, scores of obviously spurious ransom demands were received at the Hart home. One message, a crudely written post card mailed from Sacramento, attracted the attention of the police. It told Hart to place a card bearing the numeral "1" in his store window to signify his willingness to negotiate for his son's release. When the window card was posted, another message was received, asking that a similar card with the number "2" be displayed as evidence of the father's willingness to pay the ransom.⁹ On November 11, the victim's wallet was found lodged on the guard rail of an oil tanker in San Francisco, raising suspicions he may have been taken aboard a ship.¹⁰ The following day, the liner *Lurline*, which had just left San Francisco, was searched in Los Angeles, but it produced no evidence of the missing man.¹¹ In the meantime, the Hart store and home in San Jose were the scenes of intensive undercover police activity. Federal Justice Department agents from San Francisco and Kansas City joined with San Jose Police Chief J. N. Black and Santa Clara County Sheriff

Brooke Hart, heir to San Jose's largest department store, was twenty-two years old when he was kidnapped and brutally murdered.



William J. Emig to investigate the crime. The house and store were closely watched, and incoming phone calls were traced. About 7:30 P.M. on November 15, six days after the kidnapping, the phone rang at the Hart home. Answering, Alex Hart listened as a male voice began to give instructions for payment of the ransom. The call was quickly traced to a public phone in a garage on San Jose's South Market Street. Notified that a call was being made, Sheriff Emig immediately set out for the garage. The conversation was still in progress as Emig entered the building and, with the help of two deputies, took the caller into custody.¹²

The suspect was a thin man with hollow cheeks and dark, curly hair—about twenty-eight years of age. His name was Thomas Harold Thurmond, and he was a resident of the Campbell district of San Jose. Thurmond was a member of a respectable local family. One of his sisters was organist in the Methodist Church, another a local bookkeeper, and a third the wife of a public school principal. A brother, the Reverend R. J. Thurmond, was pastor of the Church of God in the Sacramento Valley town of Chico.¹³ A house painter by trade, Thurmond was currently unemployed.¹⁴ Professing shock at his arrest, the suspect denied any knowledge of the kidnapping and insisted that, as a good church-goer, he would never have had anything to do with such a crime. The sheriff was not convinced. Thurmond was taken to the county jail, where lights burned late into the night. At 3:30 A.M., Thurmond and a squad of officers left the jail and drove to the nearby Californian Hotel, where they quickly went to a third-floor bedroom occupied by a husky six-footer named John Maurice Holmes. Holmes was arrested and taken to the jail where, like Thurmond, he was subjected to questioning.

In a statement released to the press the following day, Sheriff Emig stated that Thurmond had been questioned for six hours. "Like most criminals," the sheriff said, "he soon grew entangled in his story. Finally he confessed and named Holmes as his accomplice."¹⁵



Accused kidnappers Thomas Harold Thurmond (top) and John Holmes (bottom) were temporarily removed to the San Francisco jail in the company of Santa Clara County Sheriff William J. Emig (dark suit) and US Justice Department Agent Reed Vetterli (light suit) when rumors of a lynching began circulating in San Jose.



Holmes was not as willing to admit guilt as Thurmond. All through the night, he maintained his innocence. Reed Vetterli, chief San Francisco agent of the Department of Justice, told reporters that Holmes was "perfectly cool and self-possessed" after his capture and repeatedly denied that he had taken any part in the Hart kidnapping. Thurmond was brought into the same room with Holmes to reveal that he had "confessed everything." Holmes still denied knowledge of the crime and said that if the police already "knew everything," there was nothing for him to say. "He was adamant," Vetterli continued. "We couldn't shake him. He ate a good breakfast. He whistled when we left him alone. We told him of a murder charge in the offing, that lynching was threatened. Then, for the first time, he appeared to worry, and said he'd been having family trouble, all over another woman."¹⁶

Talk of possible mob action against the prisoners was rife in San Jose, where news of the arrests had spread rapidly. Concerned for his captives' safety, Sheriff Emig announced plans to move them to the city prison in San Francisco. On the way north, Holmes was taken across the Hayward-San Mateo Bridge and asked "where he'd tossed the body." According to Vetterli, he met the question "with a sally." "But," the agent continued, "from the moment he entered the Potrero police station he began to wilt, until finally he said he was willing to talk."¹⁷

Popular concern about kidnapping was already at a fever pitch, fanned by a wave of highly publicized abductions and ransom demands that had recently swept across the country. The recent kidnapping of Charles Lindbergh, Jr., infant son of the celebrated transatlantic aviator, had been the most sensational case, but it was far from the only one. In 1931, a total of 279 kidnappings were reported in the United States.¹⁸ Police estimated that there had been 200 kidnappings in Chicago in the two years preceding 1932 and that ransoms paid had amounted to \$2,000,000.¹⁹ The Lindbergh baby was

abducted on March 1, 1932. Though the man responsible for the crime had not yet been apprehended,²⁰ it was known that the child was dead before the ransom was paid, and the grisly fact had shocked the nation. In response to the Lindbergh case and other kidnappings, Congress and many state legislatures had moved to strengthen kidnapping statutes by increasing penalties and granting federal authorities broad investigative authority.²¹ But the legislative action did not still public clamor for an immediate end to the wave of terror. Nor did the abduction of Brooke Hart in San Jose do anything to calm the growing storm of outrage.

From the morning of November 10, newspapers throughout California had been full of the story. Following Holmes and Thurmond's arrests, coverage became even more intense. Correspondents from San Francisco and Los Angeles, and some from as far away as New York, descended on San Jose to search for details of the story. Full texts of typewritten confessions signed by Thurmond and Holmes were released to reporters on November 16. As soon as they could be rushed to editors' desks, verbatim transcripts were set into print. In quick succession, they appeared on the front pages of the *San Jose Mercury Herald*, the *San Francisco Examiner*, and the *San Francisco Chronicle*.²²

Readers were shocked by the macabre details of the crime. According to the confessions, Thurmond and Holmes had talked about the kidnapping for several days before it was carried out. Together, they had waited outside Hart's Department Store for Brooke Hart to come for his car on November 9. Holmes had approached the roadster at the entrance to the parking lot and, holding a gun in his pocket, opened the door of the car and stepped inside. Thurmond followed in another car, as Holmes forced young Hart to drive north to Milpitas. They stopped on Evans Road, where Hart was moved from his own car into that driven by Thurmond. The three then continued north to the town of Mt. Eden, from which they proceeded westward across the

Hayward-San Mateo Bridge—a long, narrow span that traversed the southern end of San Francisco Bay. Hart was told to hand over his wallet, and the kidnappers divided the money. At about midspan, they stopped their car and forced the victim to step out. A pillow case covered his head, and heavy cement blocks were bound to his chest and limbs with baling wire. When Hart began to shout for help, he was struck in the head and knocked to the pavement. His body was then hurled over the side of the bridge and into the bay. Thinking he heard a “gurgling noise,” Thurmond climbed over the rail and fired some shots into the water. The deed done, the pair returned to San Jose. While Holmes went home, Thurmond drove to San Francisco where, at 10:30 P.M., he placed the first telephone call to the Hart home. Later, on the San Francisco waterfront, he hurled the victim’s wallet into the bay.

Residents of San Jose were dumbfounded. So far as the authorities knew, neither Thurmond nor Holmes had any previous criminal records, and both were members of respectable families.²³ While Thurmond’s minister-brother hurried from Chico to San Jose, Holmes’ father met with reporters. He could not believe his son had committed the crime, he said. He had always been a good boy and a hard worker. At seven o’clock on the night of the Hart kidnapping, Mr. and Mrs. Holmes had visited their son at his home in San Jose. Their daughter-in-law helped Mrs. Holmes fit a dress, and their son “wasn’t under any strain.” “I’m his mother,” Mrs. Holmes said, “and I would know if there was anything wrong with him, which there wasn’t.”²⁴ Mrs. Gertrude Estensen, a young San Jose housewife and a friend of the younger Holmes couple, said that, late the same evening, she and her husband had gone to a movie with Holmes and his wife. Holmes had called at their house at four in the afternoon to make the movie date, and he had returned with Mrs. Holmes between 7:30 and 8:00 to accompany them to the theater. Holmes had been calm and had “joined as heartily as anyone in

the laughter over the antics of *The Three Little Pigs*.”²⁵

Meanwhile, two men who had been collecting driftwood in a boat on the bay told officers that at about 7:25 P.M. on the night of the kidnapping they heard cries for help on the Hayward-San Mateo Bridge and, later, in the water. They rushed to the spot as quickly as possible, but could see nothing.²⁶

Sheriff Emig dismissed Mrs. Estensen’s story as an attempt by Holmes to manufacture an alibi for his crime,²⁷ but he did not comment on the stories of the prisoner’s parents, or on the apparent fact that the testimony of seven witnesses—perhaps more—seemed to contradict Holmes’ “confession.” Three people claimed they had been with the accused kidnapper at the movie on the fatal night; his mother and father, his two children, his wife—and probably his wife’s mother—had seen him at home in San Jose at about seven o’clock; the wood collectors established the probable time of the Hart murder at 7:25 P.M. How could Holmes have participated in a crime on the Hayward-San Mateo Bridge—a crime which would have required a drive of seventy miles, round trip—at the same time that he was seen at his home in San Jose?

Newspaper reporters seemed not to be concerned with such questions. The kidnapping story was good for circulation—one of the best the California press had seen in many years. From his jail cell in San Francisco, Thurmond revealed additional details of the crime, which the newspapers printed eagerly. Holmes refused to talk. Meanwhile, an army of eager searchers combed the lower bay for clues to the missing body. On November 16, a cement block and some strands of wire were discovered near the bridge.²⁸ Two more blocks were found the following day, and a scrap of cloth believed to have been torn from the victim’s shirt. On Sunday, No-

vember 19, the hat worn by young Hart on the fatal day was found floating near the eastern shore of the bay. Alameda County District Attorney Earl Warren, alerted that a murder may have been committed in his jurisdiction, ordered creation of a regional kidnapping squad for Alameda County.²⁹ The district attorney in San Jose, Fred Thomas, announced that a new amendment to the California Penal Code imposed a more severe penalty for kidnapping than for murder. The amendment, which became effective in October, 1933, provided that anyone convicted of kidnapping with bodily harm would be sentenced to death, or, in the jury's discretion, condemned to life imprisonment without possibility of parole.³⁰ District Attorney Thomas was confident that Thurmond and Holmes would be tried in San Jose under the stiff provisions of the new kidnapping law.

On Sunday, church pastors throughout San Jose prayed for the missing victim and, from their pulpits, urged that those responsible for his disappearance be punished swiftly and severely.³¹ From Sacramento, Governor James Rolph, Jr., sent a message of sympathy to the missing boy's parents. In San Francisco, angry crowds gathered on Market Street in front of the Justice Department offices where Thurmond and Holmes were being questioned—shouting “Lynch ’em! Lynch ’em!”³² On November 18, the *Chronicle* published a front-page editorial, declaring in bold type:

There is only one thing to do with the murderers of Brooke Hart.

That is to hang them, legally but promptly. The forms of the law must be followed, but in this case they are only forms.

The guilt of the culprits is unquestioned. They have confessed. There is no defense or mitigation. The crime was cold-blooded, premeditated, fiendish and sordid. It had not even the poor motive of anger or passion.

The first twelve persons called will be competent jurors; the plea should be guilty; the facts can be quickly presented, and there can be only one verdict and one sentence.³³

The *Chronicle's* call for hanging appealed strongly to readers throughout California. Thurmond and Holmes

Thurmond and Holmes had been convicted and sentenced in the press and in the court of popular opinion.

had been convicted and sentenced in the press and in the court of popular opinion. No one doubted they were headed for the gallows, and few thought the formalities of a trial would add anything to their ultimate fate. Many thought a trial would mock the memory of the victim and torment his family. The *Chronicle* said the “forms of the law” should be followed. Others—including many citizens of San Jose—were not so sure.

In the annals of American justice, lynching was a venerable institution. Even before the Revolution, it was common for outraged citizens to capture suspected wrongdoers and summarily hang them.³⁴ On the western frontier, where men lived in primitive communities far removed from judges, sheriffs, or other officers of the law, lynching was often the only effective means of punishing criminals. In Gold Rush California, there were few towns without a hangman's tree that regularly creaked beneath the weight of some culprit's swinging body. During the 1850's, Committees of Vigilance formed by prominent citizens in San Francisco gave the practice of summary trial and hanging a measure of respectability, but even then it was condemned by most public officials. Lynching was generally frowned on by “respectable citizens,” who urged obedience to law and respect for the institutions of criminal justice. But, when communities were besieged by lawbreakers or outraged by heinous offenses against life or property, the façade of “respectable” law and order quickly crumbled. Prominent officials had, from time to time, condoned and even encouraged mobs. President Andrew Jackson once advised Iowans to take vigilante action against a murderer.³⁵ Theodore Roosevelt volunteered to join a

Montana vigilance committee when he was punching cattle in North Dakota in 1884, and, when he learned that the vigilantes had hanged several men, he said the executions were "in the main wholesome."³⁶ Francis M. Cockrell, a United States senator from Missouri between 1875 and 1905, was a vigorous vigilante advocate, as was William J. McConnell, one of Idaho's first two senators and its governor from 1893 to 1896.³⁷

Mob action became less frequent as communities matured and police and courts became more accessible, but the ready availability of law enforcement agencies did not altogether end it. From 1904 through 1932, 1,686 lynchings were reported in various parts of the United States.³⁸ 1915 saw the highest number (145) and 1932 the lowest (10).³⁹ Mob violence was less common in California than in southern and border states, where black men accused of attacking white women were most often the victims.⁴⁰ Before 1933, the last lynching in San Jose had taken place in 1854, the last in Santa Clara County in 1883.⁴¹ As outrage over the disappearance of Brooke Hart approached a climax, Hollywood's Paramount Pictures was completing the film version of a fictional kidnapping story. With a screenplay by Adela Rogers St. John based on a novel by Rupert Hughes, the film told the story of the kidnapping of a film star's child and the subsequent lynching of the kidnapper. Reviewing the story, Paramount executives concluded that it was unbelievable—that such an event would never happen in modern-day California—and the lynch scene was cut from the film.⁴² At San Jose, however, events were once again to prove that truth is stranger than fiction.

On November 22, Holmes and Thurmond were indicted by a federal grand jury in San Francisco on charges of using the mails to extort.⁴³ On the same day, they were returned to San Jose where Sheriff Emig signed a complaint charging them with the much more serious crime of kidnapping. The following day, Alex Hart announced a reward of \$500 for recovery of his

son's body, and a Navy airship joined in the search of the bay. On November 24, two psychiatrists employed by the state examined the defendants in anticipation of a possible insanity plea. All the while, angry crowds milled around the jail, muttering oaths, conferring fur-tively, darkly vowing to seek vengeance for the murder victim.⁴⁴

At nine o'clock on Sunday morning, November 26, two men hunting ducks in the bay about half a mile south of the town of Hayward spotted a mysterious object floating on the surface of the water. Approaching, they quickly recognized it as Brooke Hart's body.⁴⁵

News of the discovery was flashed to San Jose, where it quickly spread through the town. By midday, a large and angry crowd had assembled in front of the jail. Aware that trouble was imminent, Sheriff Emig placed guards at the jail door. The advertising manager of Hart's Department Store appeared on the steps, angrily shaking his fists. Alex Hart had forbidden his employees to take part in any demonstration, threatening dismissal if they did, but the advertising manager would not be dissuaded. Glaring at the guards, he said, "You'd better lay down those guns when we move in."⁴⁶

All through the afternoon, young men moved through San Jose's bars and taverns—recently reopened after the dry years of Prohibition—urging drinkers to assemble at the jail.⁴⁷ As the crowd grew, city policemen were summoned, and barricades were thrown up across the three alleys that led to the jail entrance. State highway patrolmen took up posts in the courtyard between the jail and the courthouse. By 9:30 p.m., the crowd—now numbering several thousand—had begun to press against the barricades. Calls for emergency reinforcement were sent to the police departments in San Francisco and Oakland, and Governor Rolph was asked to call out the National Guard.⁴⁸

Earlier in the day, Rolph had been scheduled to fly to Boise, Idaho, to attend a governors' conference. But he had postponed his departure to stand by his desk—not,



On November 26, 1933, a mob numbering several thousand battered down the door of the Santa Clara County Jail and dragged the prisoners outside.

as might be expected, to help control the San Jose mob, but to make sure that, in his absence, no troops would be called out to suppress it.⁴⁹ The dapper former mayor of San Francisco—"Sunny Jim" to his many friends and admirers—had already taken a firm stand on affairs in San Jose. Four days earlier, he had pledged—ominously—that if the people of San Jose decided to take the law into their own hands he would not call out the National Guard to dissuade them.⁵⁰ He was still determined to stand by his promise.⁵¹

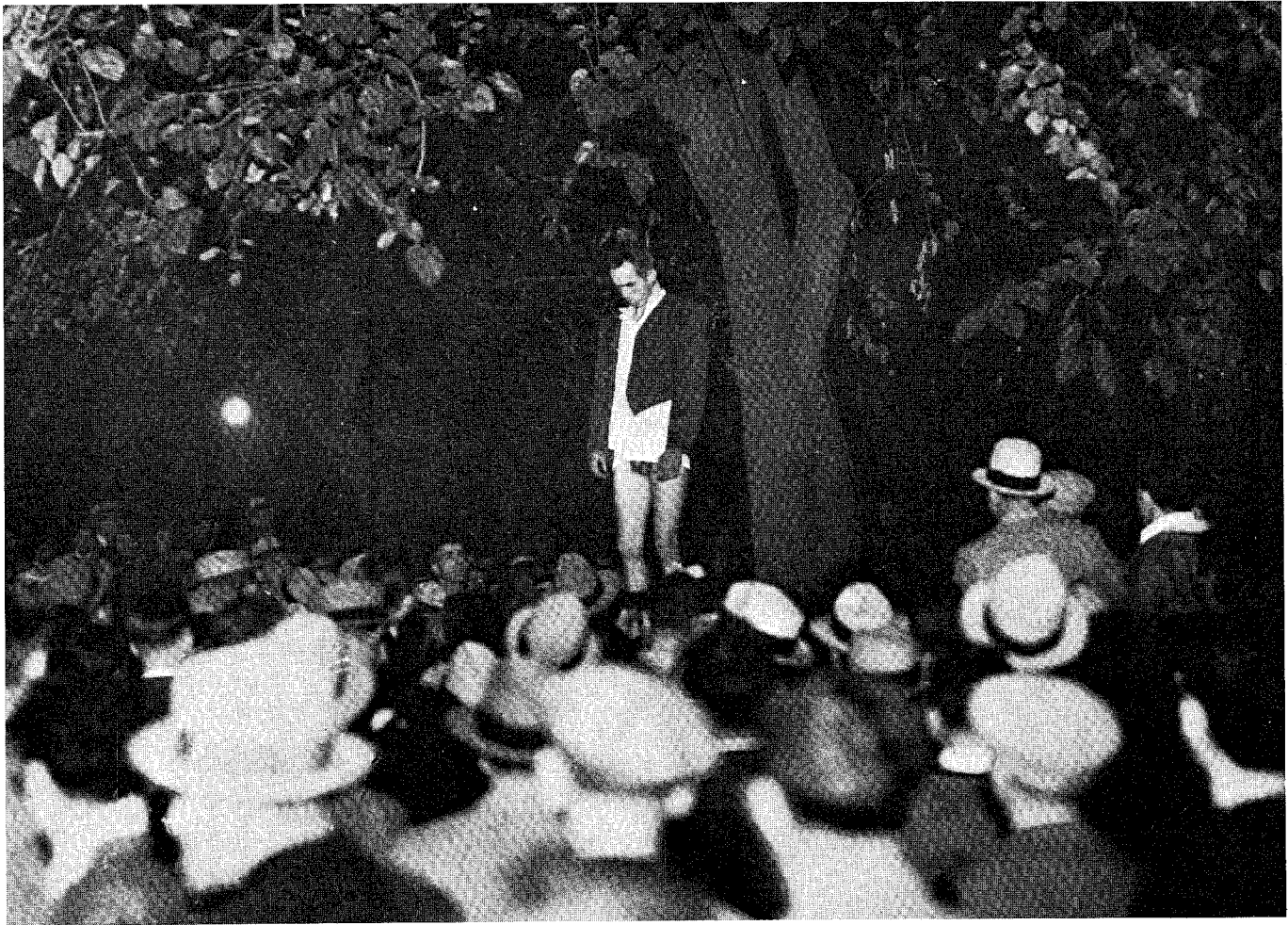
Reporters were on the scene in force. An *Examiner* correspondent stationed himself in a telephone booth a few feet from the jail door and kept fifty miles of telephone line open as he reported the story to his editor.⁵²

At 9:30, the crowd broke through the barricades and rushed toward the jail. A teen-aged boy, claiming to be a college student, brandished a crowbar and urged "men with guts enough" to follow him inside the building.⁵³ Fifty men, armed with makeshift clubs, beat on the jail door while others hurled rocks and cobblestones gathered at the post office construction site. One stone smashed the courtyard lamp, leaving the scene in darkness. Another crashed through the window of the jail office, extinguishing its light. Officers hurled tear gas

into the crowd, burning some demonstrators and temporarily dispersing others. Then a group of men returned from the construction site with a battering ram—an eight-inch pipe about twenty-five feet in length. Three times the battering ram went forward, and three times its crew was driven back by clouds of gas. "Let's get in there," the crowd shouted. "We want a touchdown!"⁵⁴

Small groups attacked the jail from different corners, dividing the attention of the defending officers and drawing repeated volleys of tear gas. Sheriff Emig placed an emergency call to the fire department, requesting that fire hoses be brought in to subdue the mob. But the firemen refused to comply with the request without approval of the fire chief or city manager, and neither of these officials could be located.⁵⁵ Thurmond, pale and haggard, watched from his third-floor cell as a fourth charge was made on the jail door. This time it gave way, and the crowd surged inside.

The sheriff and his men fought furiously with the attackers, but their tear gas was gone, and they were quickly disarmed. Some officers were beaten, others knocked to the floor.⁵⁶ Deputy Howard Moore was called upon to identify the prisoners and to open their cells. When the demonstrators came on one inmate, a



man named Tony Serpa who had recently been convicted of manslaughter—a non-capital offense—their eyes widened. For a minute or more, they milled around the prisoner's door, threatening to “give Serpa to the gang, too.”⁵⁷ But Moore pleaded for his life, and the crowd moved on. One of the demonstrators opened a window and shouted to the crowd outside. “We’ve got Holmes,” he announced, “and are bringing him down to you. We’re going to get Thurmond and let you have him, too.”⁵⁸

In a minute, the promise was kept.

Holmes was dragged by his feet through the courtyard, across the sidewalk and street, and into the shadowy recesses of St. James Park. Thurmond followed quickly. Both men were kicked and beaten and spat upon as they were dragged forward.⁵⁹

“For God’s sake,” Holmes pleaded, “give me a chance. I admit I’m Jack Holmes. But for God’s sake, give me a chance to explain my part in this thing.”⁶⁰ His face was badly beaten, and his clothes had been ripped from his

body. The mob looked about for tree limbs strong enough to support the captives’ bodies. A tree near the McKinley statue was tried and found wanting. Then another—a sturdy elm which stood near a drinking fountain—was chosen as Thurmond’s gallows. Another nearby was selected for Holmes. By now, the crowd had grown to massive proportions—some estimating that it included as many as 15,000 people.⁶¹ Men, clearly under the influence of liquor,⁶² swaggered menacingly, while women and children watched expectantly. Surrounding streets were clogged with abandoned vehicles—automobiles (most with their licenses discreetly removed) and even streetcars. All the occupants had rushed into the park. An elderly man exhorted the mob to abandon its plan, but he was ignored. As the captives were hoisted on their limbs, taunting shouts could be heard for blocks in every direction. “Brookie Hart! Brookie Hart!” some chanted. “We want a touchdown!” others cried. “Block that kick! Hold that line!”⁶³

Spotlights trained on the bodies showed Holmes

Thurmond (left) was apparently unconscious when he was hanged by the crowd. Holmes, hoisted nude from the limb of a large elm, struggled furiously with the rope before his death.

struggling furiously to free himself from the noose. Thurmond, apparently unconscious, did not resist. He died at 11:20. Holmes' death occurred six minutes later.⁶⁴

One man fought his way to Thurmond's body and touched a match to his clothing. Before the flames died out, the corpse was badly burned. The crowd remained on the scene for about an hour. Then the reinforcement police from San Francisco arrived to cut down the bodies and load them into an ambulance. Chants once again rose above the trees: "Throw them in the bay! Let the sharks get them! Treat them as they treated Hart!"⁶⁵

On Monday morning, the lynch story was headline news throughout the country. The *New York Times* printed details on its front page, and the *Chronicle* and *Examiner* rushed to the street with extras. The *Chronicle* extra of November 26 sold more copies than any in the newspaper's history up to that date, even exceeding the number sold on Armistice Day, 1918.⁶⁶ One night's run of the *Examiner* extra amounted to 150,000 copies above that newspaper's current circulation figure.⁶⁷

Most reporters and editors expressed dismay at the executions, concluding that even though the prisoners' guilt was evident, they should have been tried. Reactions from public officials varied widely. James McGrath, sheriff of San Mateo County, said that mob rule was never justified, adding: "The law states that any prisoner is entitled to a fair trial. This is a fundamental principle of government. . . ."⁶⁸ San Francisco's Mayor Angelo Rossi said he deplored mob violence, but, in his opinion, the San Jose executions were "not a mob but a gathering of respectable citizens whose feelings were outraged beyond control."⁶⁹ San Francisco Superior Judge Timothy Fitzpatrick thought the lynchers had done "a damned good job,"⁷⁰ and Dr. J. C. Geiger, the northern city's public health officer, was quoted as saying: "My only comment on the affair is 'more and better hangings. We need 'em.'"⁷¹ Alameda County's District Attorney Earl Warren reflected that the lynchings were evidence of popular distrust of legal institutions, saying: "I feel

"With all my heart," the sheriff declared, "I regret the lynching of Harold Thurmond and Jack Holmes. With all my ability I tried to prevent it. I wanted those men to have a fair trial, and I did my best to get it for them. Even criminals have rights."

that if the people were confident that criminals would be speedily apprehended and given an adequate trial, they would allow the law to take its own course."⁷²

In San Jose, the grieving Alex Hart expressed disapproval of the mob's actions, saying he had been "perfectly satisfied that the law take its course." "I am a believer in law and order," he added, "and have never tolerated violence of any sort."⁷³ Sheriff Emig, who had been painfully injured when the jail was stormed, issued a statement from his bed in a San Jose hospital. "With all my heart," the sheriff declared, "I regret the lynching of Harold Thurmond and Jack Holmes. With all my ability I tried to prevent it. I wanted those men to have a fair trial, and I did my best to get it for them. Even criminals have rights."⁷⁴

Governor Rolph did not share the sheriff's regrets. In a statement issued in Sacramento, the dapper executive expressed complete satisfaction with the crowd's action. "They'll learn they can't kidnap in this State," he said proudly. "If anyone is arrested for the good job, I'll pardon them."⁷⁵ He said he would like to release all the convicted kidnappers in San Quentin and Folsom prisons and turn them over to "those fine, patriotic San Jose citizens who know how to handle such a situation. . . ."⁷⁶

If the San Jose lynchings troubled many Americans, the words of Governor Rolph shocked them. A flood of messages poured into Sacramento, into newspaper

A New York pastor [suggested] that the word "lynching" be stricken from the English language and replaced with its "modern equivalent, Rolphing."

offices, and even into the White House in Washington, condemning the California executive's stand. Rolph's critics included prominent men and women from all over the country—governors and senators, writers and clergymen, officials of such organizations as the Commission on Interracial Cooperation, the American Federation of Labor, the National Association for the Advancement of Colored People, the American Civil Liberties Union, and the United States Flag Association. In London on November 27, a newspaper editor said the lynchings showed Americans had not yet "escaped from the psychology of the pioneers whose idea of law was necessarily primitive."⁷⁷ In San Francisco on November 28, novelist Gertrude Atherton joined columnist John Barry, Rabbi Irving Reichert, and Unitarian pastor S. S. Dutton to send a telegram to President Franklin D. Roosevelt, urging him to condemn Rolph. In San Jose on December 1, two resolutions deploring the lynchings were issued, one bearing the signatures of twenty local ministers, the other signed by members of the congregation of the First Baptist Church.⁷⁸ In New York on December 3, a mass meeting was held at the College of the City of New York. Speakers included Episcopal Bishop William T. Manning, Rabbi David De Sola Pool, Harlem pastor Dr. Adam Clayton Powell, City College President Frederick Robinson, and Alfred Talley, a representative of New York's Cardinal Hayes. Resolutions were passed soundly condemning the lynchings and denouncing Rolph's approval of them.⁷⁹ Also on December 5, the executive committee of the

National War Veterans' Association made public a resolution expelling Rolph from its advisory board.⁸⁰ Most cutting was probably the suggestion of Charles Francis Potter, a New York pastor, that the word "lynching" be stricken from the English language and replaced with its "modern equivalent, Rolphing."⁸¹

One of the governor's most prominent critics was a one-time political ally, former President Herbert Hoover, whose retirement home at Palo Alto was not far from the scene of the San Jose violence. On November 29, Hoover headed a group of twenty-five prominent Californians, including the president of the San Francisco Chamber of Commerce and the Catholic Archbishop of San Francisco, who condemned the lynchers and the governor. A statement bearing Hoover's signature declared that the "very spirit of government has been violated and the state has been disgraced in the eyes of the world by a brutal outburst of primitive lust for vengeance. . . . This humiliation and shame is intensified by the laudation of the mob and its acts. More than this, such laudation, particularly when coming from the chief executive of the state, undermines the very foundations upon which the state and all civilized society is built, respect and reverence in the minds of the citizenry for law, order and justice."⁸² On December 6, President Roosevelt expressed a similar opinion, branding lynching "a vile form of collective murder" and saying: "We do not excuse those in high places or in low who condone lynch law."⁸³

The attitude of Governor Rolph contrasted sharply with that of two other governors who were confronted with similar mobs in their own states. While investigators in San Jose were questioning Holmes and Thurmond about the Hart kidnapping, Maryland's Governor Albert Ritchie was ordering state troops to arrest the leaders of a lynch mob in his state.⁸⁴ Two days after the San Jose jail was stormed, Missouri's Governor Guy Park called out the National Guard in an unsuccessful attempt to prevent the lynching of a young black man who had

been accused of attacking a white woman.⁸⁵ Some suggested that the Missouri violence, which occurred only two days after the San Jose lynchings, had been encouraged by Rolph's widely publicized pro-lynching stance.⁸⁶

The lynchings left a strange aftermath in San Jose. The jail was badly damaged, as was the new post office nearby. Souvenir hunters hacked at the limbs and trunks of the trees from which Thurmond and Holmes had been hanged, and the city manager ordered them to be cut down.⁸⁷ Street peddlers hawked ghoulish post-card-sized pictures of the hanging victims—inscribed “San Jose’s Answer to the Kidnappers.”⁸⁸ Tony Serpa was moved from San Jose to the jail in San Francisco to protect him against a possible recurrence of lynch sentiment. In his northern cell, Serpa sighed deeply as he told a reporter, “There’s one thing I never want to see again. That’s the big electric sign across the highway which reads, ‘Welcome to San Jose.’”⁸⁹

The Santa Clara County Grand Jury took no action against leaders of the mob, even though some boasted openly of what they had done.⁹⁰ The governor had pledged to pardon anyone arrested—and the governor was known as a man of his word.

The *Mercury Herald* reflected the opinion of many in the city when it deplored the mob’s action, saying “the kidnappers deserved it, but San Jose did not.” “The feeling that inspired the mob,” the newspaper editorialized, “is easy to understand. . . . But there were, in this case, none of the circumstances, except the sheer atrocity of the crime, that justify mob violence. There was no failure of government, and no fear of its failure. The officers of the law had done their duty well. They had apprehended the perpetrators of the crime, secured their confessions, and made a perfect case to confirm those confessions.”⁹¹

Not all observers were as willing as the *Mercury Herald* to judge the prosecution case a “perfect” one. The families of Thurmond and Holmes still maintained that their

sons were innocent. Thurmond’s mother thought her son may have been acting under some sort of mental derangement. As a child, she revealed, he had sustained a heavy blow to his head, which may have injured his brain. Although he had been a good boy, his behavior had changed recently, and a year before the Hart kidnapping the family had considered placing him in an institution.⁹² Holmes’ father was sure his son was innocent. Meeting him in the jail, the father had taken his son by the arm, looked him squarely in the eyes, and asked him if he was guilty. “Dad,” the son was reported to have answered, “I swear to you I know nothing about this terrible thing.”⁹³

Evidence of the defendants’ guilt was persuasive—but by no means conclusive. A trial would have answered many troubling questions: Were the published “confessions”—obtained after hours of intensive, night-time questioning, and after dark hints of lynching had been dropped by the interrogating officers—freely and voluntarily given? Were the statements of Mrs. Estensen, of Holmes’ mother and father, and of the two wood collectors who heard cries from the bridge—statements that seemed to place Holmes in San Jose at the time of the murder—credible? Was Thurmond sane at the time of the offense, or at the time of his alleged confession? The action of the mob in St. James Park forever foreclosed answers to these questions.⁹⁴

One newspaper story reported that Thurmond’s family planned legal action against public officials—but the story was quickly denied.⁹⁵ The lynchings had thrown Mrs. Thurmond into a state of shock, and she wanted only to forget the nightmare of November 26. Holmes’ father, too, said he wanted to be done with the awful affair.⁹⁶ A suit was filed in April of 1934 in behalf of Holmes’ widow and two minor children—but it was never brought to trial or judgment, and after a time it, too, was forgotten.⁹⁷

Governor Rolph had said the San Jose lynchings would “teach kidnappers a lesson.” If the mob’s action had

Governor James Rolph, Jr., praised the lynchers and promised to pardon anyone who might be arrested.

any deterrent effect on kidnappers, it was not long-lasting. In the decades that followed, the annals of California crime revealed many cases of kidnapping for ransom—and many murders, some even exceeding in viciousness and cruelty the sordid San Jose crime. The lynchings did not put an end to kidnapping in California, but they did much to take the wind out of the sails of would-be lynchers. One or two incidents of mob violence, in small and isolated communities, were noted later in the 1930's. But the leaders were not commended for their lawlessness. By then, James Rolph, Jr., victim of a fatal 1934 heart attack, had gone to his reward.⁹⁸

In 1933, Paramount Pictures had regarded lynching as too improbable to be included in a film about modern-day California. Metro-Goldwyn-Mayer thought otherwise when it produced *Fury*, starring Spencer Tracy and directed by Fritz Lang, in 1936. Obviously inspired by the San Jose tragedy, *Fury* told the story of a man who was passing through a small town when he was wrongfully arrested and charged with kidnapping. A mob intent on lynching him attacked the jail and burned it down. Twenty-two leaders of the mob were arrested on charges of murdering the alleged kidnappers, who had, without the authorities' knowledge, escaped during the fire. First hoping to see the mob leaders convicted, the innocent man finally appeared in court, and the murder charges were dismissed. Reviewing *Fury* when it opened in San Jose in June of 1936, the *Mercury Herald* did not mention the similarity between the film and the lynching of Holmes and Thurmond, though it called the movie "sensational" and praised its "powerful screenplay."⁹⁹ In 1936, novelist John Steinbeck published a compelling short story that was inspired by the events in San Jose (Steinbeck's wife was a native of the city, and he was intimately acquainted with it). Titled "The Lonesome Vigilante" when it appeared in *Esquire* magazine in October, 1936, the story was reprinted as "The Vigilante" in Steinbeck's widely praised collection of short stories, *The Long Valley*, published in 1938.¹⁰⁰ In



1951, a second film inspired by the San Jose tragedy was released in theatres. Based on a novel by Jo Pagano titled *The Condemned*, the film was titled *Try and Get Me*. Starring Lloyd Bridges and Frank Lovejoy, *Try and Get Me* followed the San Jose events even more closely than *Fury*.¹⁰¹

The films and the Steinbeck story were evidence, if any was needed, that the executions of Harold Thurmond and John Holmes were something more than a typical American lynching. Occurring in the midst of a prosperous middle-class community with effective law enforcement agencies all around, they were clearly unnecessary. Years after Brooke Hart and his alleged murderers were laid in their graves, the executions were still remembered as "San Jose's shame."¹⁰² However indefensible the actions of the lynchers or the words of Governor Rolph, both were characteristic responses to a perceived danger. Anger reaches awful intensity when it rises in a mob, even a mob in a "respectable" middle-class community. Although Americans profess distaste for violence, violence is not an unusual American response to threat. The nation was born in the violence of revolution, tempered in the violence of civil war, brought to maturity in the violence of wars with Mexico, Spain, Germany, and Japan. The veneer of civilization wears thin when lives are threatened or moral sensibilities offended, as they were by the wave of kidnappings that swept the nation in the early thirties. If the

San Jose lynchings proved anything, they showed that violence is not the exclusive tool of the outcasts of society. "Good citizens," and otherwise respected public officials—like murderers, kidnappers and thieves—will use it for their own purposes when they are sufficiently provoked.

A visitor to San Jose today will search in vain for physical evidence of the lynchings of Thurmond and Holmes. The population of the city has swelled from 82,000 to more than 500,000. The jail from which the lynch victims were dragged to their deaths is gone now, replaced by a towering new courts building. Hart's downtown department store is gone, as is the handsome Hart mansion on The Alameda. The courthouse still stands, and the completed post office next to it, and the statue of President McKinley in the shadowy expanse of St. James Park, though the gallows trees have long since disappeared. But thousands of the city's residents still remember that long-ago night of anger and violence. And not without reason. Buildings and stores and trees are easily erased, but bitter memories—like bad dreams—have a life and death of their own.

The photographs of Hart, Thurmond, Holmes, and the mob are from the *San Francisco Chronicle*. The lynching photo is from the CHS Library. The St. James Park photo was taken by the author. Rolph's photo is from the California Section Picture Collection of the California State Library, Sacramento.

Notes

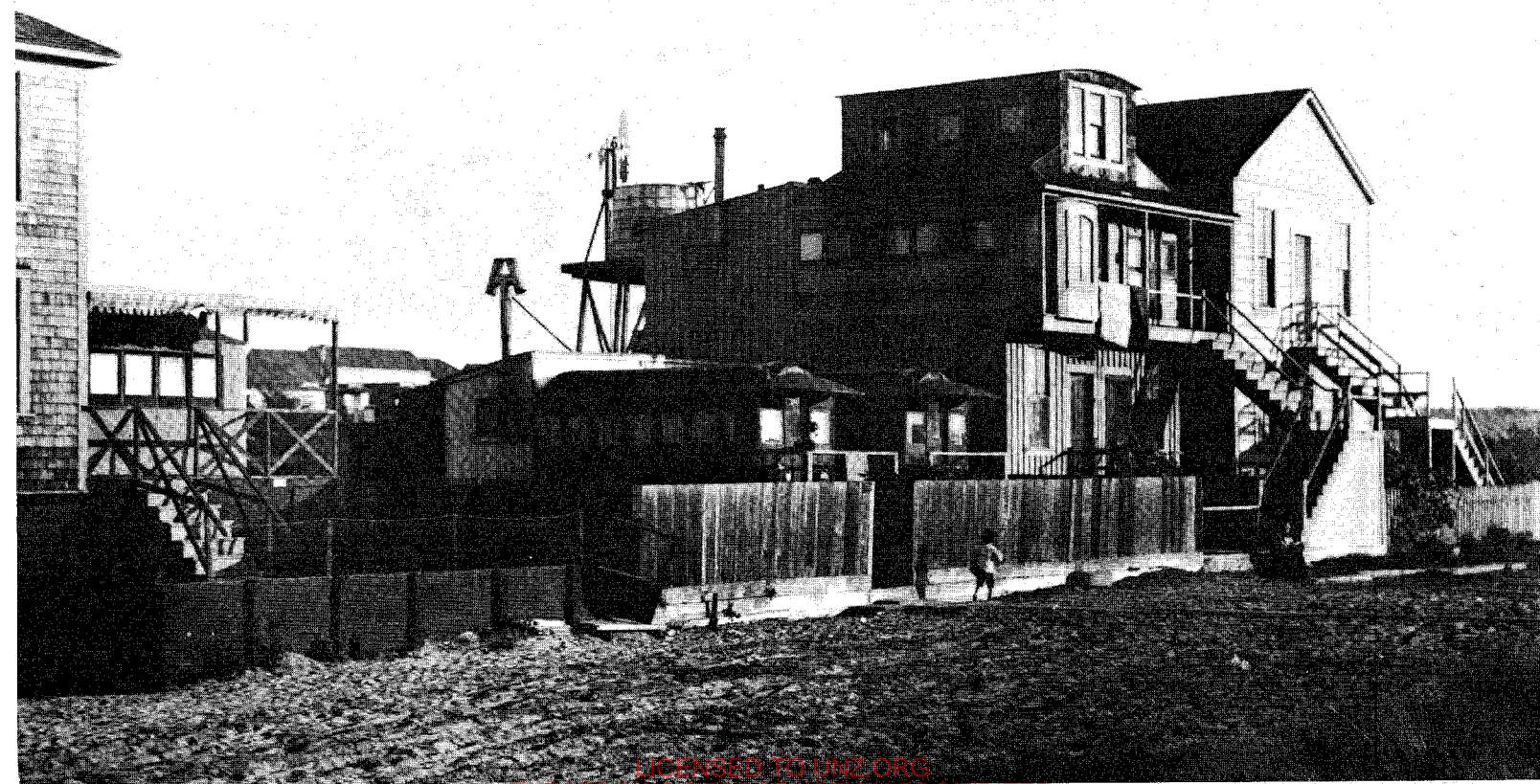
1. *San Jose City Directory* (1933), p. 12.
2. The locations of buildings and other places mentioned in this article were established by reference to Sanborn Map Company's *Insurance Maps of San Jose* (New York, 1915, as corrected to July, 1932).
3. The store was founded by Leopold Hart, father of Alexander J. Hart and grandfather of Brooke Hart. In 1887-88, Leopold Hart was the manager and Alexander J. Hart a salesman in the Corner Cash Store run by Lizar Lion at the southeast corner of Market and Santa Clara. *San Jose City Directory* (1887), pp. 127, 169. In 1889, Leopold Hart was owner of the store and Alexander J. Hart a salesman in it. *Santa Clara County Directory* (1889), p. 190. Leopold Hart is not to be confused with James Hart, who came to Santa Clara County in the 1850's and who was also the proprietor of a dry goods store. Thompson and West's *Historical Atlas of Santa Clara County* (San Francisco, 1876), p. 105. The *San Francisco Examiner* reported that Hart's store was seventy-six years old in 1963, indicating that it was established about 1887. Lynn Ludlow, "San Jose Lynching—They Don't Discuss 'It'," *San Francisco Examiner*, October 26, 1963, Section III, p. 7.
4. *San Jose Mercury Herald*, November 10, 1933, p. 1.
5. *Ibid.*
6. Edward S. Sullivan, "The Brooke Hart Kidnap-Murder and the California Lynch Mob," *Master Detective*, May, 1962, p. 60.
7. *Ibid.*
8. *Ibid.*
9. *San Francisco Chronicle*, November 18, 1933, p. 4.
10. *San Jose Mercury Herald*, November 12, 1933, p. 1.
11. Sullivan, "Kidnap-Murder," 64.
12. *San Jose Mercury Herald*, November 17, 1933, pp. 1, 13.
13. *San Francisco Chronicle*, November 18, 1933, p. 4.
14. Sullivan, "Kidnap-Murder," 87.
15. *San Francisco Examiner*, November 17, 1933, B.
16. *San Francisco Chronicle*, November 18, 1933, p. 4.
17. *Ibid.*
18. *Encyclopedia Britannica*, 13 (Chicago, 1972): 341.
19. *Encyclopedia Americana*, International Edition, 16 (New York, 1974): 401a.
20. Bruno Richard Hauptmann was arrested in September, 1934, tried in January and February, 1935, and executed in April, 1936. Jay Robert Nash, *Bloodletters and Badmen, A Narrative Encyclopedia of American Criminals from the Pilgrims to the Present* (New York, 1973), p. 247.
21. *Encyclopedia Americana*, International Edition, 17 (New York, 1974): 516-517.
22. *San Jose Mercury Herald*, November 17, 1933, p. 1; *San Francisco Examiner*, November 17, 1933, p. 1; *San Francisco Chronicle*, November 18, 1933, p. 1.
23. In an editorial, the *Mercury Herald* said that both men "earned their living by honest employment. One [Holmes] had a wife and two children. Both sustained good reputations." But the paper added that they had been seen at "bootleg and gambling resorts" and may have associated with "an underworld character." *San Jose Mercury Herald*, November 21, 1933. The *Chronicle* said that the sheriff uncovered "a cache of Thurmond and Holmes, under a culvert near the city limits where the two men are believed to have hidden loot from two oil station robberies." *San Francisco Chronicle*, November 23, 1933.
24. *San Francisco Examiner*, November 17, 1933, B.
25. *San Francisco Chronicle*, November 19, 1933, p. 1.

26. Ibid.
27. *San Jose Mercury Herald*, November 19, 1933, p. 1.
28. *San Francisco Examiner*, November 18, 1933, p. 1.
29. Ibid., 9.
30. *San Francisco Examiner*, November 17, 1933, p. 1; *San Jose Mercury Herald*, November 17, 1933, p. 1; California Penal Code Section 209, as amended by Statutes 1933, chapter 685, p. 1757, section 1; and chapter 1025, p. 2617, section 1.
31. *San Francisco Chronicle*, November 30, 1933.
32. *San Francisco Chronicle*, November 18, 1933, p. 1.
33. Ibid.
34. William E. Burrows, *Vigilante!* (New York, 1976), pp. 36-37.
35. Ibid., 20.
36. Ibid., 8-9, 20.
37. Ibid.
38. Frank Shay, *Judge Lynch, His First Hundred Years* (New York, 1938), pp. 274-275.
39. Ibid.
40. A compilation of lynching statistics released by the National Association for the Advancement of Colored People in 1934 showed that Alabama had five lynchings in 1933; Georgia and Louisiana four each; South Carolina and Tennessee three each; Mississippi two; Florida, Maryland, Missouri, North Carolina, and Texas one each. California had two, both in San Jose. *Literary Digest*, January 13, 1934, p. 7.
41. *San Jose Mercury Herald*, November 28, 1933, p. 1.
42. *New York Times*, November 29, 1933, p. 3; *San Jose Mercury Herald*, November 29, 1933, p. 1.
43. *San Jose Mercury Herald*, November 23, 1933, p. 1.
44. *San Francisco Examiner*, November 17, 1933, A.
45. *San Jose Mercury Herald*, November 27, 1933, pp. 2, 3.
46. Alvin D. Hyman, "The San Jose Lynchings," in Frank Luther Mott (ed.), *New Stories of 1933, A Collection of Some of the Best News and Feature Stories of Various Types Which Appeared in American Newspapers in 1933* (Iowa City, Iowa, 1934), p. 121.
47. *Time* magazine identified one eighteen-year-old who had driven all over town, passing the word: "We're going to have a lynching at the jail at 11 o'clock tonight." The young man is reported to have said: "Mostly I went to the speakeasies and rounded up the gang there. That is why so many of the mob were drunk." *Time*, December 4, 1933, p. 14.
48. Hyman, "San Jose Lynchings," 122; *San Francisco Examiner*, November 28, 1933, p. 9.
49. "If I had gone away some one would have called out the troops on me," the governor was quoted as saying, "and I promised in Los Angeles I would not do that. Why should I call out troops to protect those two fellows?" *New York Times*, November 28, 1933, p. 1.
50. "Let the Sheriff handle the matter himself," the *Los Angeles Times* quoted Rolph as saying on November 22. "He can ap-
point as many deputies as he wishes. But I refuse to call out the guard to protect two kidnapers [sic] who killed a fine, upstanding youth." *Los Angeles Times*, November 23, 1933, Part I, p. 1.
51. *New York Times*, November 28, 1933, p. 1.
52. Mott, *New Stories of 1933*, 118.
53. Hyman, "San Jose Lynchings," 122.
54. Ibid., 123.
55. *San Jose Mercury Herald*, November 27, 1933, p. 2.
56. Hyman, "San Jose Lynchings," 124.
57. Ibid., 125.
58. Ibid., 124.
59. Ibid., 119; *San Jose Mercury Herald*, November 22, 1933, p. 1.
60. Hyman, "San Jose Lynchings," 119.
61. The *Mercury Herald* estimated the crowd at 5,000 (*San Jose Mercury Herald*, November 27, 1933, p. 2); the *Chronicle* at 10,000 (*San Francisco Chronicle*, November 27, 1933, "6 A. M. Extra," p. 1); the *Examiner* at 15,000 (Hyman, "San Jose Lynchings," 118).
62. See note 47, above. Sullivan describes the event as follows: "It was a mad, demoniac Witches' Sabbath with all the bars let down, as the gleeful lynchers, many of them only transient visitors to San Jose, reveled in the novel experience of taking out all their pent-up frustrations and hatreds on the two insensate corpses—with the sanction and benediction of mob law." Sullivan, "Kidnap-Murder," 91.
63. Hyman, "San Jose Lynchings," 121.
64. Ibid., 120.
65. Ibid., 126.
66. *San Francisco Chronicle*, November 28, 1933, p. 1.
67. Mott, *New Stories of 1933*, 118.
68. *San Francisco Chronicle*, November 28, 1933, p. 7.
69. Ibid.
70. Ibid.
71. Ibid.
72. Ibid.
73. *Los Angeles Times*, November 29, 1933, Part I, p. 1.
74. *San Francisco Examiner*, November 30, 1933, p. 11.
75. As reported by the *New York Times*, Rolph's statement was: "They'll learn they can't kidnap in this State. If anyone is arrested for the good job, I'll pardon them all." *New York Times*, November 28, 1933, p. 1. The *Mercury Herald* reported that his statement was: "That was a fine lesson to the whole nation. There will be less kidnaping [sic] in the country now. They made a good job of it. If anyone is arrested for the good job I'll pardon them all. I hope this lesson will serve in every state of the Union." *San Jose Mercury Herald*, November 28, 1933, p. 4. The *Chronicle* quoted the governor as saying: "This is the best lesson that California has ever given the country. We show the country that the State is not going to tolerate kidnaping [sic]." *San Francisco Chronicle*, November 27, 1933, "6 A. M. Extra,"

- p. 1. Rolph's biographer stated that the governor's reaction to news of the lynching was: "Good—this is the best lesson that California has ever given the country. Those men deserved what they got. While the law should have been permitted to take its course [this reservation was not reported by other sources], this occurrence will serve as a warning to kidnapers [sic] throughout the nation that California will not tolerate such cowardly acts. It will protect our homes and children against such criminals." David Wooster Taylor, *The Life of James Rolph, Jr.* (San Francisco, 1934), p. 110. *Time* reported the governor's words as: "This is the best lesson California has ever given the country. We show the country that the State is not going to tolerate kidnapping. I don't think they will arrest anyone for the lynchings. If anyone is arrested for the good job, I'll pardon them all. Why should I call out troops to protect those two fellows?" *Time*, December 4, 1933, p. 14.
76. *New York Times*, November 29, 1933, p. 1; *San Jose Mercury Herald*, November 28, 1933, p. 4.
 77. *New York Times*, November 28, 1933, p. 3.
 78. *San Jose Mercury Herald*, December 2, 1933, p. 4.
 79. *San Jose Mercury Herald*, December 4, 1933, pp. 1, 2.
 80. *San Jose Mercury Herald*, December 6, 1933, p. 1.
 81. *San Jose Mercury Herald*, December 4, 1933, p. 2; *Time*, December 11, 1933, p. 15.
 82. *San Jose Mercury Herald*, November 30, 1933, p. 1; *San Francisco Examiner*, November 30, 1933, p. 11; *Los Angeles Times*, November 30, 1933, Part I, p. 2.
 83. *San Jose Mercury Herald*, December 7, 1933, p. 1.
 84. Local police and prosecutors had refused to act. *New York Times*, November 29, 1933, pp. 1, 3; *Time*, December 11, 1933, p. 14; Shay, *Judge Lynch*, 207-211.
 85. *San Jose Mercury Herald*, November 30, 1933, p. 1; *Time*, December 11, 1933, p. 14; Shay, *Judge Lynch*, 216-220.
 86. *Time*, December 11, 1933, p. 14.
 87. *San Jose Mercury Herald*, November 28, 1933, p. 1.
 88. On November 29, three men were arrested in San Francisco on charges of selling "indecent pictures" of the lynch victims. Reports were made of similar sales in Oakland, Alameda and Berkeley. *San Francisco Examiner*, November 30, 1933, p. 11.
 89. *San Francisco Chronicle*, November 28, 1933, p. 1.
 90. *San Jose Mercury Herald*, November 30, 1933, p. 1; Warren F. Webb, "Lynchings in California: Holmes, Thurmond Case, San Jose," *Police and Peace Officers' Journal*, October, 1936, p. 4; *Time*, December 4, 1933, p. 14. Hearsay has it that no indictments could be obtained because many participants in the lynchings were undoubtedly members of the Grand Jury, and some may even have been connected with law enforcement agencies.
 91. *San Jose Mercury Herald*, November 27, 1933, p. 8.
 92. *San Francisco Examiner*, November 28, 1933, p. 9.
 93. *Ibid.*
 94. A representative of the American Civil Liberties Union investigated the circumstances of the crime, of Holmes' alleged confession, and of his alibi. He concluded that the alibi was "generally credible," while there were "many incredible features of the so-called confession, obtained by third-degree methods." Ellis O. Jones, "Was An Innocent Man Lynched at San Jose?" *New Republic*, February 7, 1934, pp. 365-366.
 95. *San Jose Mercury Herald*, November 29, 1933, p. 1.
 96. Rev. R. J. Thurmond, Harold Thurmond's brother, said reports of a suit planned by his family were "a pack of lies." Holmes' family reportedly "desired to forget the entire affair as quickly as possible." *San Jose Mercury Herald*, November 29, 1933, p. 1.
 97. *Evelyn Holmes, et al, v. James Rolph, Jr., et al*, civil action no. 250279, Superior Court, City and County of San Francisco, complaint filed April 20, 1934. The last activity in this case, which was never brought to trial, was on June 11, 1935. A second suit, also commenced by Holmes' widow, was filed on November 26, 1934. It was *David Holmes, et al, v. William J. Emig, et al*, civil action no. 254460, Superior Court, City and County of San Francisco. In this case, an order for change of venue to Santa Clara County was made on March 26, 1935. It is not clear that the case was in fact transferred, as a dismissal without prejudice was filed by the plaintiffs in San Francisco on July 29, 1936. A third action, also filed by Holmes' widow, was *David Holmes, et al, v. William J. Emig, et al*, civil action no. 267235, Superior Court, City and County of San Francisco. In this case, the complaint was filed on July 10, 1936, more than nineteen months after the lynchings. The defendants' demurrers to the complaint were sustained without leave to amend, and judgment was ordered for the defendants, apparently on the ground that the statute of limitations had expired. In his autobiography, published thirty years after the events, plaintiffs' attorney recalled: "As Rolph was a resident of San Francisco, I was able to file the action [sic] in that county. However, he died shortly afterward, and the defendants had the case removed to Santa Clara County, where it died too." Vincent Hallinan, *A Lion in Court* (New York, 1963), p. 224. Any action against the public officials would seem to have had little chance of success from the start. The sheriff and his men seemed to have defended Holmes and Thurmond in good faith. A jury selected in Santa Clara County would probably have been unsympathetic to the plaintiffs. Rolph may well have been protected by the doctrine of "sovereign immunity," which relieves public officials from liability for all but a narrow and specifically defined class of acts.
 98. Taylor, *James Rolph, Jr.*, 120-125.
 99. *San Jose Mercury Herald*, June 21, 1936, p. 39.
 100. John Steinbeck, *The Long Valley* (New York, 1938).
 101. *New York Times Film Review*, May 10, 1951, p. 2518.
 102. Ward Winslow, "San Jose's Night of Shame," *Palo Alto Times*, Peninsula Living Section, June 9, 1956, pp. 14, 37.

CARVILLE

San Francisco's Oceanside Bohemia



In San Francisco's Sunset district in the late 1890's, ingenious city dwellers found a way to recycle the horse-drawn streetcars made obsolete by the introduction of cable cars. The horse-cars which once followed the tracks of Valencia and Market streets found their useful lives extended as club houses, beach cabins, restaurants, shops, and permanent homes along the new ocean-front Great Highway south of Golden Gate Park.

Women who enjoyed cycling on the new paths of the park, musicians looking for a place to unwind in the late evening, doctors seeking relaxation in the sun, and literary-minded college students found the old cars to be ideal places to meet and entertain. Artists and writers Maynard Dixon, Xavier Martinez, Jack London, Arnold Genthe, and Gelett Burgess were attracted from their other Bohemian retreats to a car provisioned for them by a patron of the arts. Families, too, could rent a car or two for vacation use for \$5 a month. Even permanent residents settled happily into an economical home constructed from one or more of the surplus cars.

Early in 1895, E. P. Vining, a man whose efficiencies in running the Market Street Railway Company cut costs but often angered the San Francisco public, decided to clear out the obsolete cars which had been merely taking up room in the company power houses.¹ Advertised widely for "\$20 with seats, \$10 without," the cars became popular as backyard playhouses, shoe repair shops, vacation cottages, bath houses, and real estate offices. By 1900, more than 100 of the cars clustered in the untamed dunes across the Great Highway from the ocean beach, extending south from Lincoln Way (the southern boundary of Golden Gate Park) in a colony soon known as Carville.

The innovative Carville builders put into practice an architectural concept popular today—the use of ready-made modular units. Some cars were placed on stilts or stacked one on top of another to catch the view or, more

probably, to escape the drifting sand. Finding one car to their liking, the new owners might add another to make a "T" or "L" shaped house, and yet another for a "U" arrangement which provided a protected courtyard. Some cars were hidden inside another structure, but as one reporter observed, "No matter what the original plan might have been, the house finally comes out with a reminder of car somewhere, a rounded place in front or rear, with the sides for all the world like the windows of a car."²

Car interiors featured hidden lockers and built-in cupboards where the large horse-car lanterns once had been placed. Some were given a sunken bathtub below the floor boards, covered by a trap door when not in use. Victorian embellishments—including fringed portieres, bird cages, and potted palms—were added, and a marine scene might be painted on the clerestory windows. Residents relied heavily on driftwood finds from the beach for decks, fences, and garden improvements.

The first four cars, a food stand and three rental units, appeared in Carville in 1895 under the aegis of Mayor Adolph Sutro. The *San Francisco Examiner* tells of two Valencia Street cars purchased by a speculator and left at the terminus of the Park and Ocean Steam Line south of the Cliff House.³ Sutro, attentive to the minutest detail which affected his ocean-front properties, must have seen them and decided to put them to use. Perhaps he also thought the food stand would solve the financial problems of a friend, Col. Charles E. Dailey, who was living in an abandoned real estate shack on Sutro's property while recovering his health. Sutro was convinced that the pure air off the Pacific, sweeping over 5,000 miles of ocean, had to be free of the "tiny, flitting particles called bacteria" present in the more crowded sections of the city.⁴

Dailey shared Sutro's views on the healthfulness of beach living. A *San Francisco Call* reporter wrote that Dailey had been "literally saved from the jaws of death." He was broken down with numerous afflictions and was

Ms. Cowan is a reader service librarian at the CHS Library.

FOR SALE.

THE MARKET-STREET RAILWAY COMPANY, San Francisco, offers for sale a number of condemned

CAR BODIES.

PRICE WITHOUT SEATS, \$10 EACH
OR WITH SEATS - - - \$20 EACH

Can be used for newsstands, fruitstands, lunchstands, offices, summer-houses, children's playhouses, poultry-houses, toolhouses, coalsheds, woodsheds, conservatories, polling booths, etc. Apply to H. O. ROGERS, Division Superintendent, corner Fourth and Louisa streets, San Francisco. MWF

scarcely able to walk. He was told by his physician to go to various places but in some way he made up his mind that the western edge of the San Francisco Desert has about as much in its favor as any other locality. He moved something over a year ago and improvement at once set in. Today he is as well as any man of his age."⁵

Colonel Dailey dispensed refreshments to the beach crowds and cyclists through the windows of the old Valencia Street car named "The Annex." On sunny weekends thousands enjoyed the ocean beach and park, many arriving by the Park and Ocean Steam Line. Dailey's camp near the boulevard stop at Forty-ninth Avenue and Lincoln Way provided feature story material for reporters.⁶ His shack was described in terms of an Old Curiosity Shop set down in Robinson Crusoe's backyard. Though Dailey was often called an "old salt" and pictured in a seaman's greatcoat, his obituary in 1903 confirms his military title.⁷

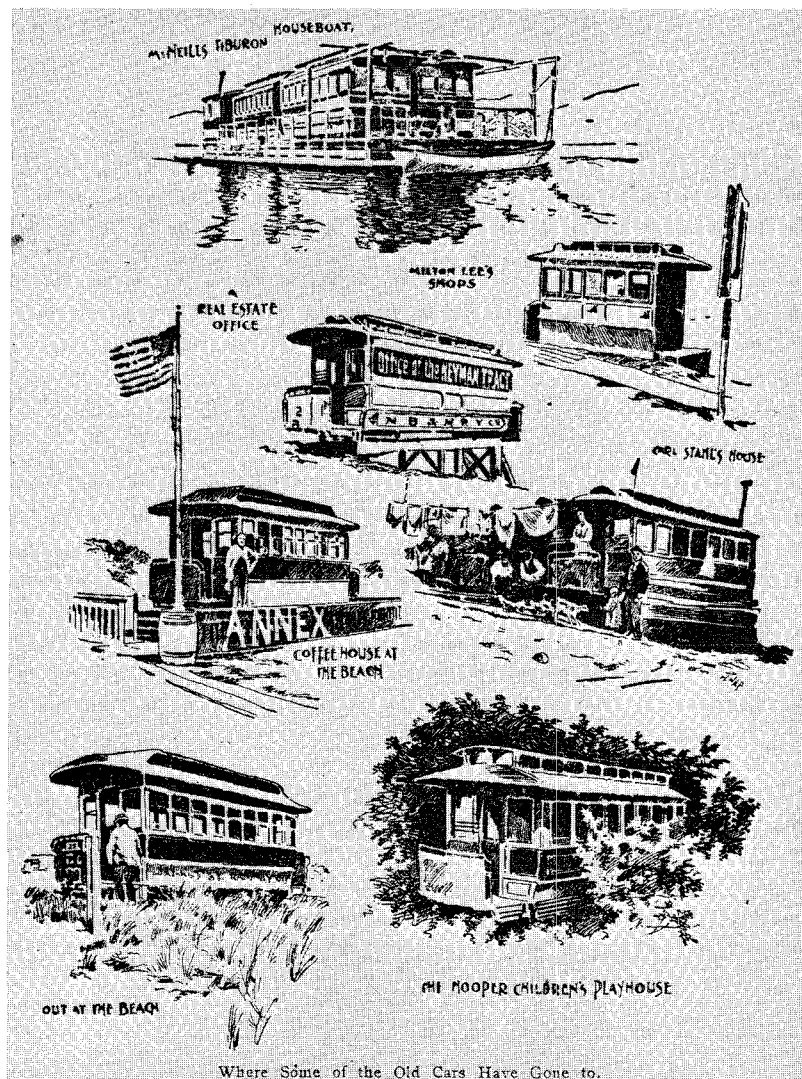
Bicycling fever was high in San Francisco in 1895, and one of the cars in Dailey's enclave was the clubhouse of a group of women cyclists named the Falcons. The women refurbished the old North Beach and Mission car with matting and blue and white Delft-patterned curtains. The popular club soon expanded into other cars and added a lean-to for their bicycles. For their banquets

they devised a table large enough to seat twenty-eight persons, built to swing away to the ceiling when not in use. If the car was too crowded inside to reach the kitchen, one could always run around the outside and enter by the back platform.

When not cycling on the new paths through the park to the beach, the Falcons enjoyed bathing in the ocean "when no one was watching" or playing Whist. "Each 'weekend' found gathered here a merry convocation of the fairest of San Francisco's brilliant women to which was added a large number of the leading professional men, artists, writers and travellers. . . ." Among those notables visiting the "car that ran into a house" were Ambrose Bierce, Arthur McEwen, and the "entire membership of the Press Club;" Mayor Sutro, who rode down frequently from Sutro Heights on his black horse; artist Xavier Martinez; and W. W. Stow, John Mackay, and Collis Huntington, who declared, "This is the most pleasant little place of rest I have ever found."⁸

In the late nineties visitors might stray over the dunes from the Falcon's car to the picnic car of the "Fuzzy Bunch," long-haired Bohemians of the day. Among the artists, musicians, and writers who made up the group were Gelett Burgess, Maynard Dixon, Arnold Genthe, Porter Garnett, Will Irwin, Jack London, Bruce Porter, George Sterling, Ina Coolbrith, Anna Strunsky, and Isabel Frazer. Edwin Emerson writes of visiting the car in 1905 with his future wife, Mary Edith Griswold, known as "Maisie" among the Bohemians. The fuzzies' patron angel was Dr. Cross, a prosperous physician who bought the car from Mayor Sutro and who stocked it with "eatables and drinkables on many occasions when many of the fuzzies gathered there to make merry." Dr. Cross habitually entrusted the padlock key "to a friendly grocer near the Dunes, from whom it could be obtained at all times, together with further eatables and drinkables to be credited in the grocer's ledger to the generous doctor."⁹

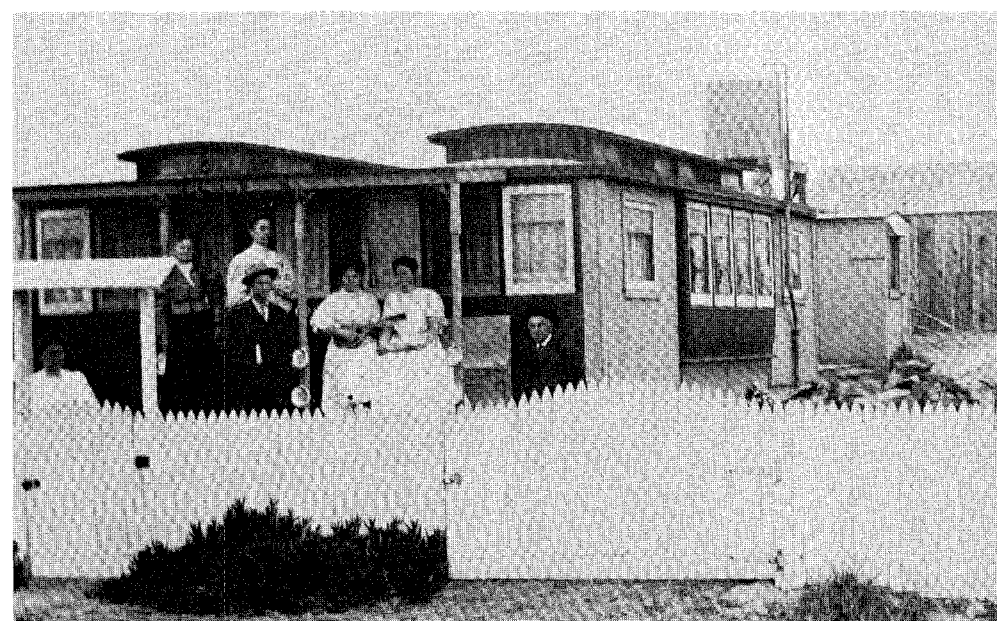
In the early 1900's musicians gathered in a car which



Priced at \$10 and \$20 in an 1895 newspaper advertisement (page 310), surplus horse-cars were put to use as modular shops, play-houses, and homes. Four cars linked to make an ark on Belvedere Bay and Col. Dailey's Carville coffee house, the Annex, were sketched for San Francisco Examiner readers in 1895.

Car-houses line the Great Highway at the turn of the century. (Below) The John Brumond Grocery on Irving Street is below the whiskey advertisement, and Brumond's Oceanside Hall (above the soap sign) temporarily housed the Oceanside School.





Ruffled curtains decorated the interior of this family's two-car house.

they named "La Boheme" after the popular new opera. The car was Colonel Dailey's old refreshment stand, "The Annex." After rehearsals and lessons during the day and performances in the evenings, the musicians needed a place to congregate and unwind in the early morning hours. The members of the orchestra of the Metropolitan Opera company were entertained at "La Boheme" one day in 1908 when they were on tour in San Francisco. The musicians later voted it the finest experience of their entire trip.¹⁰

San Francisco bachelors also kept cars tucked away in the dunes. Gay P. Summer, a character in Gelett Burgess' novel *The Heart Line* (1907), casually suggested a Carville date to Fancy Gray, a pretty receptionist. "I've got a car out there where we could get lost easy enough," he urged. Not much of a bower, Summer's car was

a weather-worn, blistered, orange-colored affair that had once done service on Mission Street. The cash-box was still affixed to the interior; the platform, shaky as it was, still held; the gong above, though cracked, still rang. There was a partition dividing what they called their living-room, where the seats did service for bunks, from the kitchen where they were bridged for a table and perforated for cupboards. There was a shaky canvas arrangement over the plank platform; and beneath, in the sand, was buried a treasure of beer bottles, iron knives, forks and spoons and wooden plates. Here, unchaperoned and unmolested, save by the wind and sun, Gay P. Summer and Fancy Gray proceeded to get acquainted.

Before the turn of the century car-houses were used as residences, as well as for recreational purposes. Contemporary accounts differ in identifying the first person to live permanently in one of the cars at Carville. They allude variously to an Italian immigrant; a sea captain

lonesome for the sea (possibly Colonel Dailey in his seaman's coat, although he lived in a real-estate shack); and a horse-car conductor who retired to live in his old car rather than work on an electric trolley.¹¹ A more recent article suggests that the Robert H. Fitzgeralds were the first permanent car residents. Fitzgerald was described as an influential city official who found a car to be a quiet retreat from the favor-seekers who hounded him.¹² The Fitzgeralds were named in early accounts as renters in Colonel Dailey's resort when Ida Fitzgerald was president of the Falcon Bicycle Club. They may well have chosen permanent beach life as early as 1896 when Fitzgerald's city address disappears from the city directory and he is listed only by his title, deputy city clerk.

In 1898 realtor Jacob Heyman developed a package deal—a Carville lot and car-house—with the permanent resident in mind. Heyman himself used a car as a real estate office at Elizabeth and Hoffman streets. In 1907, *Country Life in America* named him "Father of Carville" and recorded:

The first lot of these cars he [Heyman] sold to a Mr. George Robinson, for which, together with the land on which they were placed, that gentleman paid \$650. One bright winter morning in January, 1899, Mr. Robinson had the novel experience of seeing his home that was to be hauled across the park roads and dumped high and dry on the sand of the Cliff House Beach. The \$650 included the delivery. It came piecemeal from the city, room by room, and each one was a small horse-car that had just been put on the retired list, along with its motive power, the worn-out horse.¹³

Robinson's address in the 1900 city directory was listed as 4545 "I" (Irving) Street.¹⁴



The interior of this car-house retreat was most carefully decorated to Victorian taste.

Cora Older's scrapbook included this snapshot of Mrs. Gunn's well-known Carville tearoom. The caption written in Older's own hand recalls the bomb plot against her husband, a newspaper editor, during the San Francisco graft trials in 1907.



The development of the property along the Great Highway as a residential area of small homes would have surprised Adolph Sutro, who held much of its land in large tracts. Sutro believed that other wealthy persons would join him in building estates along the Pacific on an ocean-front esplanade. As a writer identified as J. K. in *The Wave* explained,

The plutocrat of the twentieth century will have his villa here rather than on Pacific Heights or at Burlingame. Indeed, Mr. Sutro, who had the imagination to build the biggest and ugliest baths in America, and a Cliff House that looks like a fortified dry goods box, has but to close his eyes and see a vision of pale pink palaces embowered in verdure along the boulevard stretching over the sand dunes to the gum trees in the distance, and all paying tribute to his foresight. This is the ocean beach according to Sutro."¹⁵

Whatever the form of the houses, Sutro foresaw the demand for residential property that population growth would create in the Richmond and Sunset districts and invested heavily in property with profits brought out of the Comstock. The use of car-houses on Sutro property was to have been a temporary expedient, a source of rental income while the property increased in value. However, Sutro's daughter, Emma Sutro Merritt, who was appointed guardian when Sutro was judged incompetent, began to sell off lots in 1898 to meet the cash needs of the estate.

The earthquake and fire in 1906 brought many refugees to shelter in the house-cars which had previously been retreats and weekend homes. Among them were Fremont Older, editor of the *San Francisco Bulletin*, and

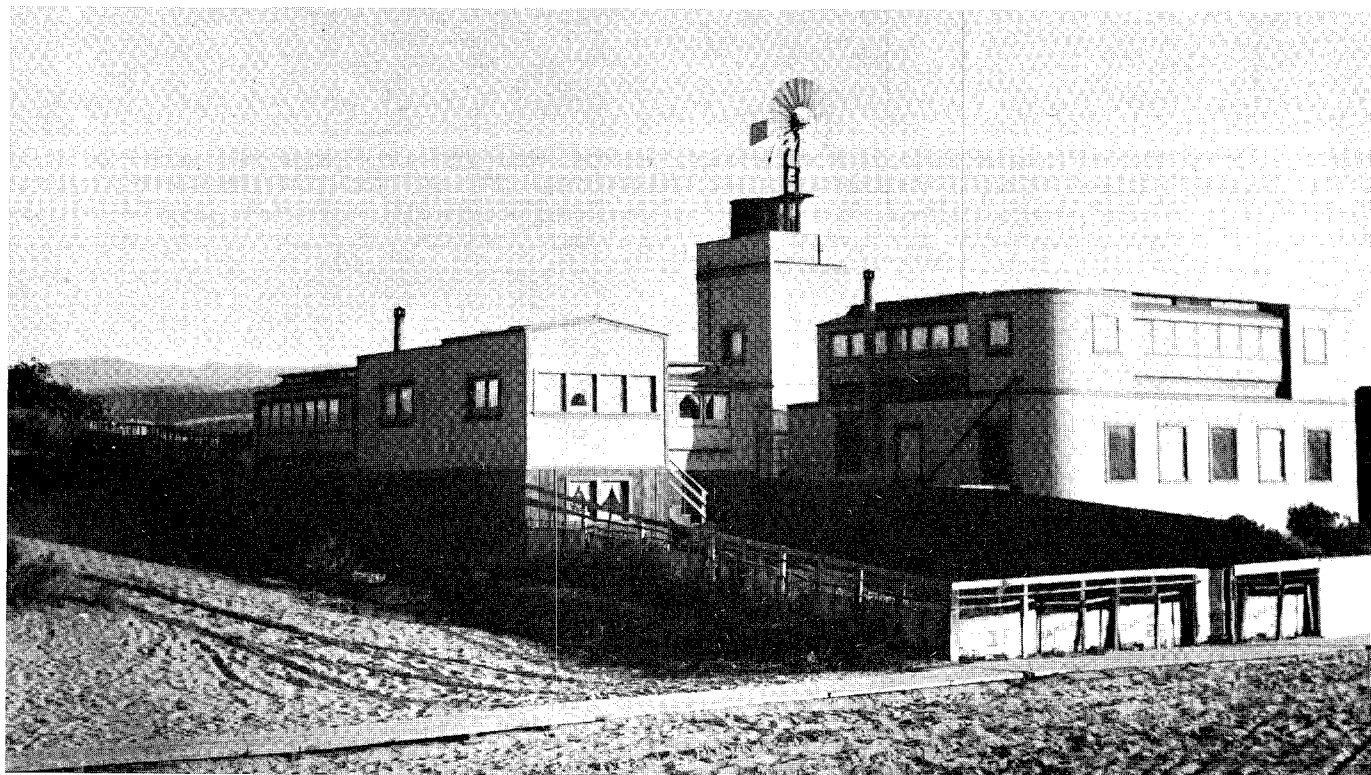




A family album snapshot of a favorite multi-story vacation cottage.

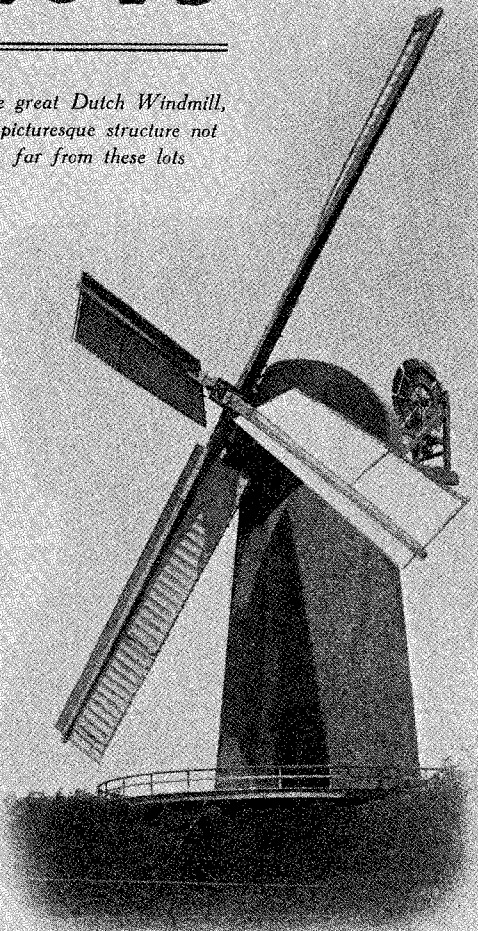
OPPOSITE: Scattered on the sand like toys in this strangely peaceful photograph made around 1900 are outmoded horse-drawn streetcars.

At least four cars are visible in the elaborate Carville structure below. Rounded lines suggest "Moderne" architecture of a later time. Dashboards from front platforms make up the fence along the plank sidewalk.



OCEAN BOULEVARD LOTS

*The great Dutch Windmill,
a picturesque structure not
far from these lots*



Baldwin & Howell

SOLE AGENTS

318-324 Kearny Street, San Francisco

*Real estate agents promoted Oceanside lots,
spelling an end to the lifestyle of Carville's
beach lovers.*

his wife Cora. The Older cars on the Great Highway were presided over by Mary Gunn, a widow whom they befriended. Mrs. Gunn ran a popular tea room in three of the cars until her death in 1923, and she was known to pick and choose those she would serve. Older's reforming editorial policy during the Graft Prosecution trials in 1907 brought threats against his life. A plot to bomb his car-house was planned, Older's penchant for a daily swim and dinner at Ocean Beach being well-known in the city. The would-be bombers hid a cache of dynamite in a rented cottage nearby, but Older was warned in time to avoid danger.¹⁶ While the Olders were only temporary refugees from the earthquake and fire, many others remained as permanent residents in the district.

The earthquake also was responsible for bringing old cable cars to Carville. Damage to machinery and tracks accelerated the city's change-over to the electric trolley, making the cable cars obsolete.¹⁷

By 1908 Carville was described in the *Overland Monthly* as a suburb of 2000 people, "... paradise of the clerk and small business man, who can daily enjoy a morning plunge in the invigorating breakers, yet whirl to work in town by electric car in an hour or less."¹⁸

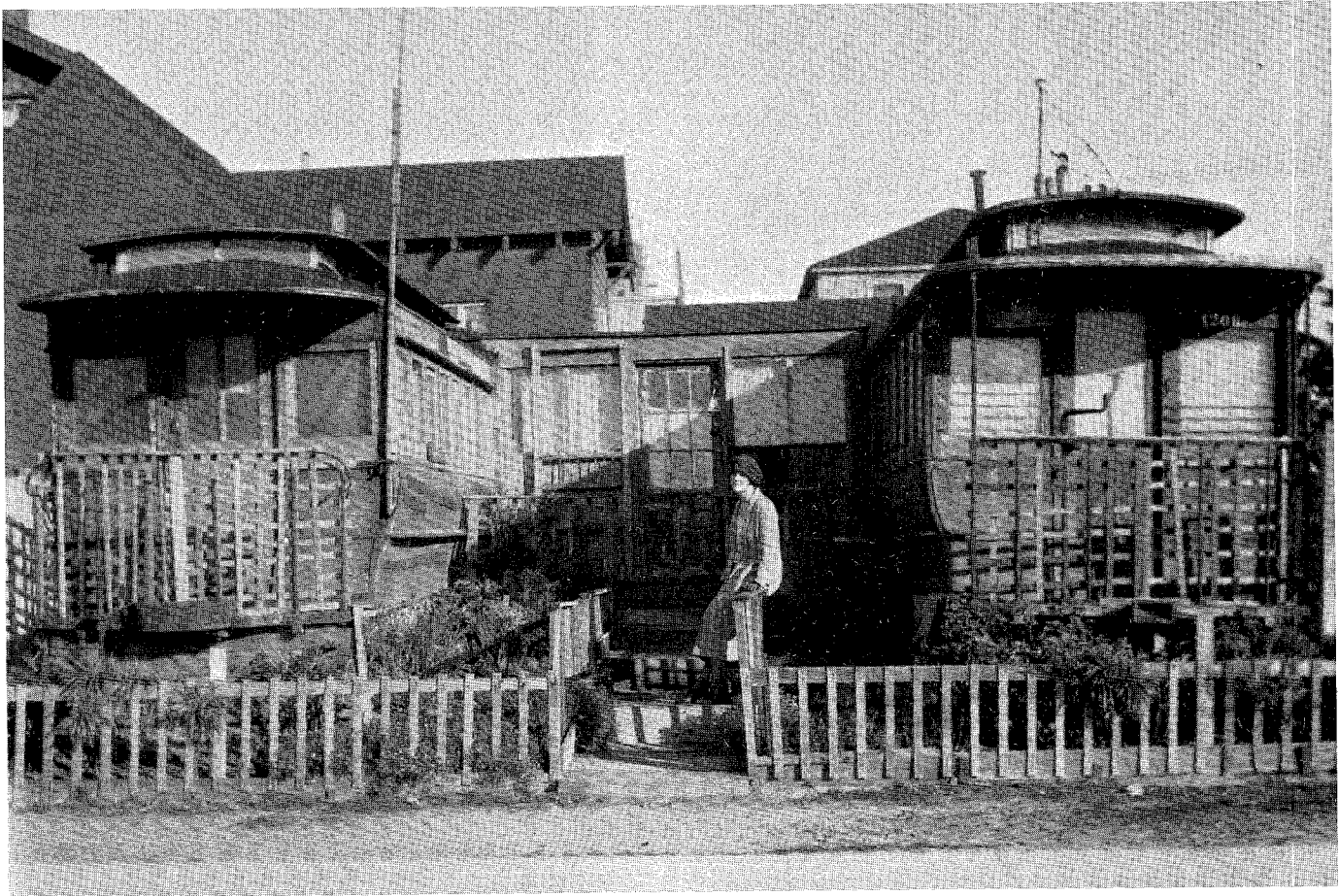
Carville, the Bohemian resort, was becoming Oceanside, the residential community. New residents helped to build a school and church, the first to be built in the city after the earthquake and fire. The Oceanside Improvement Club, formed in 1903, counted electric, gas, and water service to residences and a projected sewer line among its accomplishments by 1910. Roads had been graded and bituminized, gas street lights replaced with electric ones, and cement walks installed in place of planks. Many of the new residents thought the old car-houses did not fit in with the progressive, new image.

By 1908, in fact, Emmett M. O'Brien, reporting in the *San Francisco Chronicle*, foresaw the passing of Carville, "the odd city on Ocean Beach." "The unique settlement of car-dwellers in the sand dunes on the Ocean Beach," he wrote, "will soon be a thing of the past, for

In the 1920's car-houses provided inexpensive, even rent-free, housing to residents in the Sunset District.



After the earthquake and fire, horse-cars provided temporary housing, and as years passed they were frequently converted to permanent shelters.



the resident who has a front platform for his kitchen is no longer welcome in the shifting sands. The diminutive cottage and the two-story pretentious house, all a shingle, have come to supplant the time-serving car."¹⁹

In 1913, the president of the Oceanside Improvement Club secured permission from remaining members of the Falcon Bicycle Club to burn the unused club house. The community gathered on the evening of July 4 and "burned the Car out of Carville," also watching a \$10 display of fireworks financed by the city. The club's new motto was, "Make clean today by sweeping and burning up the debris of yesterday."²⁰

The announcement of Carville's passing may have been premature, an underestimation of the intense emotional attachment of San Franciscans to the horse and cable car. When new, more conventional houses were built, cars were sometimes incorporated in the framework. When Carville pioneer Robert Fitzgerald, the first president of the Oceanside Improvement Club, constructed his house, two cars made up the second floor, with a hallway running around the outside of the cars.²¹

Despite promotion of the Oceanside district by the improvement club and early realtors, development lagged after the earthquake resettlement. Jules Getz of

the pioneer realty company, Sol Getz and Sons, recalled that he was often told to "peddle our sand somewhere else. . . . We encouraged any kind of building at first—even the old horse and cable cars that made up Carville—just to get someone out here."²² In 1924, Getz went so far as to allow the needy to use the old cars rent-free.

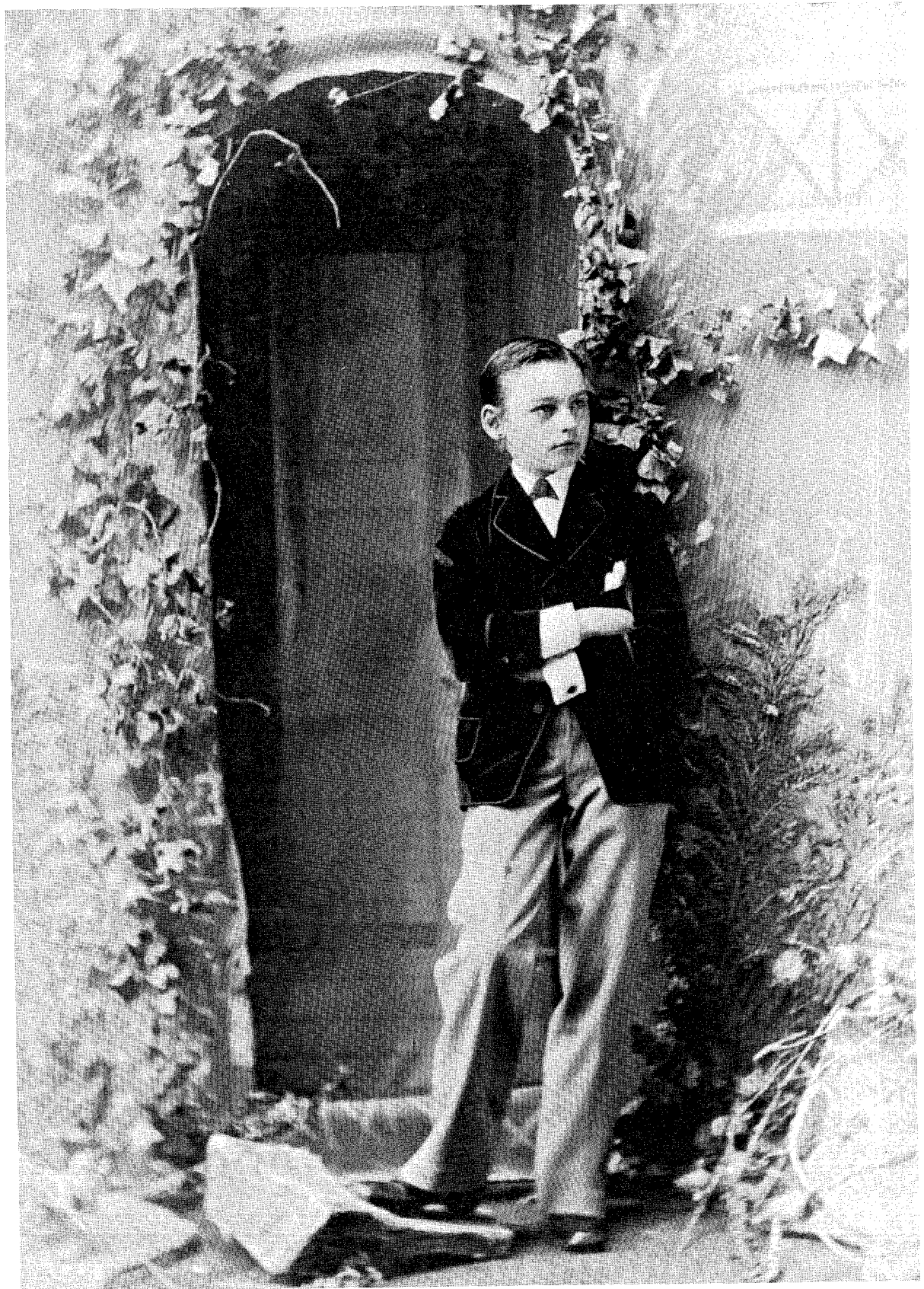
The extension of the Judah streetcar line through the new Sunset tunnel in 1928 facilitated the inevitable extension of the city to the ocean's edge. Stucco houses and apartment and motel complexes replaced most of the thirty or so car-houses that remained into the 1930's.

Today, the observer in the old Oceanside district is tempted to see a streetcar in every long, narrow structure and to imagine lines of them hidden in backyards. The few that remain, however, are well-concealed, often unknown to neighbors living half a block away.

The photographs on pages 314 and 315 (bottom) are from the Bancroft Library. All the others are from the CHS Library.

Notes

1. "At the end of their trip," *San Francisco Examiner*, September 22, 1895, p. 19.
2. Emmett M. O'Brien, "Passing of Carville; the odd city on ocean beach," *San Francisco Chronicle*, March 15, 1908, p. 12.
3. *San Francisco Examiner*, September 22, 1895, p. 19.
4. "A barbeque in the rain," *Morning Call*, February 7, 1892, p. 7.
5. "The Great Desert of San Francisco," *San Francisco Call*, May 23, 1897, p. 27.
6. "Quaint village of condemned street railway cars on the ocean beach," *San Francisco Chronicle*, October 4, 1896, p. 1.
7. "Roar of waves is his requiem," *San Francisco Call*, October 15, 1903, p. 3. The obituary also states that Dailey was military agent of the state of Connecticut, serving on the battlefields of the Civil War. He was receiver of government funds for Arizona Territory before coming to San Francisco.
8. "Burn the car out of 'Carville'; residents of Oceanside celebrate," *San Francisco Chronicle*, July 6, 1913, p. 38.
9. Robert O'Brien, "Riptides," *San Francisco Chronicle*, September 18, 1950, p. 18. Mary Griswold Emerson was a freelance writer and later an editor of *Sunset*. She appeared in the famous murals painted at Coppa's restaurant. In a letter to the author, Elsie Martinez quotes her husband, Xavier, as remembering the car as an artists' retreat, thanks to a wealthy doctor. Perhaps the generous Dr. Cross is Dr. Charles V. Cross, listed as owner of property at K (now Kirkham) Street and Forty-fifth Avenue in the *Realty Directory of San Francisco*, 1896.
10. "Bohemia in a horse car," *San Francisco Call*, March 15, 1908, magazine section, part one, p. 3.
11. Leslie E. Gilliams, "Cartown," *Strand*, XXII (November, 1901): 574; "Methods of utilizing old street cars," *Scientific American*, LXXXIV (June 29, 1901): 409; Sarah Comstock, "Carville," *Four Track News*, January, 1906, p. 50.
12. Jane Sudekum, "Sunset-Sandlot," *San Francisco News*, April 8, 1947, p. 13.
13. "The settlement of Carville," *Country Life in America*, XI (March, 1907): 492.
14. *San Francisco Directory*, 1900, p. 1471.
15. J. K., "Carville; a quaint village of abandoned street cars on the edge of the Pacific," *The Wave*, September 11, 1897, p. 4.
16. Mrs. Fremont Older, "The story of a reformer's wife," *McClure's Magazine*, XXXIII (July, 1909): 291.
17. In fact, a fair sampling of the city's rolling stock, including a small electric trolley, has appeared in Carville, as each item became obsolete.
18. Gibbs Adams, "A city of cars," *Overland Monthly*, LII (November, 1908): 399.
19. O'Brien, "Passing of Carville," *San Francisco Chronicle*, March 15, 1908, p. 12.
20. *San Francisco Chronicle*, July 6, 1913, p. 38.
21. The brown shingled house at 1415 Forty-seventh Avenue remains, but the cars were removed during remodeling, probably because of the low ceiling where they were joined. An interior photograph appeared in Sudekum, "Sunset-Sandlot," April 8, 1947, p. 13.
22. Sudekum, "Sunset-Sandlot," *San Francisco News*, April 7, 1947, p. 13.



Young Leland Stanford, Jr., scion of wealth in a gilded age.

Boy in a Gilded Age

Heir to a golden spike rather than the proverbial silver spoon, Leland DeWitt Stanford was born the fourteenth day of May, 1868, in Sacramento. One year later his father, president of the Central Pacific Railroad and former governor of California, drove home the symbolic golden nail that completed the first railroad link between East and West. Stanford's iron rails carried commerce which eventually produced far greater wealth than all the gold of the mother lode from which the spike was made.

Leland, Jr., if he is remembered at all, is known only as the would-be heir of indulgent and fabulously rich parents who founded a university in his name after he died of typhoid fever in 1884. The image is accurate, as far as it goes. Leland's father and mother felt the joy of all new parents, excusably intensified by the boy's arrival after eighteen years of childless marriage. Without question young Leland was given every advantage that loving parents, wealth, and influence allowed. But he made good use of his talents and opportunities and was on the way to becoming a well rounded and exceptionally well informed young man when his life ended.

As an estimate of his character, the flood of eulogies after Leland's death, overly sentimental even for the day, can perhaps be dismissed. However, his numerous letters, written from age eleven and continuing until his death just before his sixteenth birthday, give an intimate glimpse of the thoughts and doings of a young scion of wealth in an age now past. To the extent that a child is a reflection of his parents, Leland's letters also reveal something of the character of his father and mother, both of whom won a permanent place in the history of the West. The letters of Leland, his mother Jane, and Leland, Sr.—manuscripts upon which this essay is based—are housed in the Stanford University Archives.

The first direct reference to young Leland appears in a letter written by Jane Stanford from San Francisco to her husband in Sacramento. She had taken her infant son from their home to the Bay City to be vaccinated by a

family friend and physician, Dr. J. D. B. Stillman, against a raging smallpox epidemic. The best available medical attention of that day could not prevent secondary infection and abscess formation, and, consequently, mother and son spent a restless night. Dr. Stillman's advice of a hot bath and a small gin sling for the infant apparently brought three hours of needed sleep, followed by the rupture of his vaccination abscess and recovery. Before being taken home young Leland was subjected to the unconscious indignity to which all infants, rich or poor, have to submit; namely, that of being scrutinized at bathtime by an admiring friend of the family. "A remarkably fine child," the beaming mother was told, "so well made and handsome."

The Stanford heir's perambulator years probably differed little from those of any other baby whose parents could afford a nanny and every other luxury to make life pleasant. In 1873 the head offices of the Central Pacific Railroad were moved from Sacramento to San Francisco, and the Stanford family followed, living in a rented house while awaiting the completion of their magnificent mansion on Nob Hill. They traveled East in 1876 to visit the Centennial Exposition in Philadelphia, and the eight-year-old boy was particularly drawn to the mechanical exhibits and handmade articles. His father bought him a wood-carving set, and some time later a few of Leland's artifacts were considered good enough to be displayed at the Mechanics' Pavilion in San Francisco.

The Stanford University Museum's exhibit of Leland's playthings and other possessions, including historical and archaeological objects he collected for his private display and some of his own paintings, indicate that the young Stanford was a boy of wide interests and consid-

Dr. Nagel, emeritus clinical professor of surgery, Stanford University School of Medicine, is the author of a number of books and articles about western and medical history. His most recent book is *Jane Stanford: Her Life and Letters* (1975), published by the Stanford Alumni Association.

*Fascinated by things mechanical,
Leland sketched a steam engine for his
miniature railroad at the family home
and stock farm in Palo Alto.*

erable talent. In his own hardwood-finished schoolroom in his San Francisco home, young Leland learned his lessons from an able tutor, Herbert C. Nash, who became his good companion and a lifelong family friend. (Leland enrolled in only one regular course of instruction, a brief class in accounting at Heald's Business College in San Francisco.) Despite the pampered surroundings and the absence of classroom competition, Leland learned rapidly. Mathematics and history were his favorite studies, and his gift for languages soon resulted in fluency in both French and German.

In 1877 nine-year-old Master Leland DeWitt Stanford hosted the first elaborate social event held in the new Stanford home—a Christmas reception and dance. Social columnists proclaimed it to be the first of its kind in San Francisco and waxed eloquent over the party's brilliance and charm. The young couples invited, together with their parents or guardians, numbered 150. Promptly at two in the afternoon, the carriages began rolling up to the driveway to the east entrance where footmen assured the ease and safety of the alighting guests.

To lend effect to the afternoon party, all the blinds in the house were drawn and the gas chandeliers lit, creating an illusion of evening obligingly heightened by a dark and blustery December day. Inside, all was warm and bright. The rustle of the party dresses of the early guests was drowned out as more arrived, and the house's halls resounded to the chatter and laughter of youthful voices. Leland was assisted in receiving by his mother and an aunt, Miss Lathrop.

Professor Lunt, a dancing master, acted as the master of ceremonies. At his word the ballroom became a kaleidoscope of movement and color, framed by a plentiful number of admiring but watchful chaperons. Night was approaching as the last waltz ended the scene of gaiety and splendor.

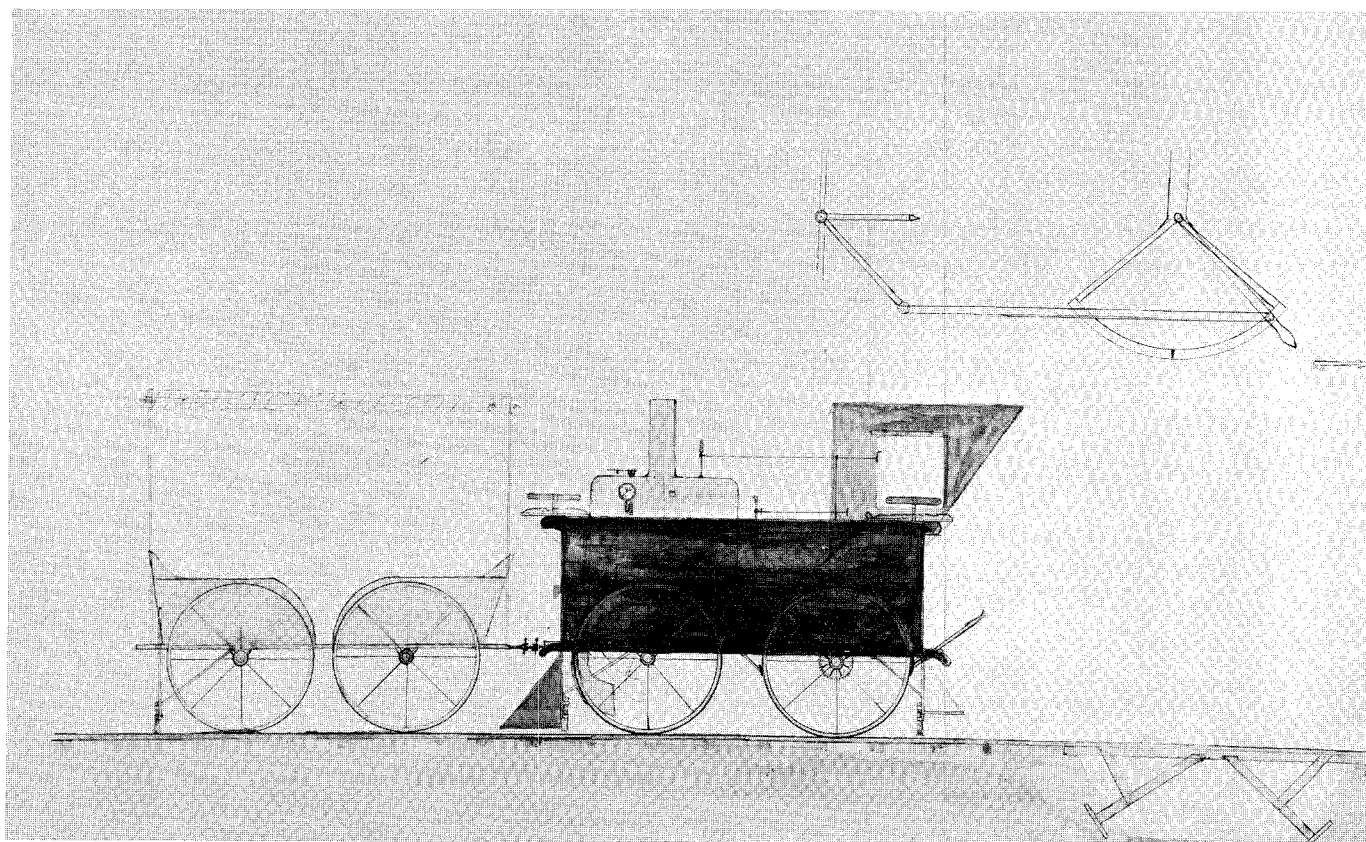
The occasion of Leland's party gave newspaper reporters an opportunity to say something of the lad, who, it was fair to presume, would some day inherit vast

wealth and its accompanying responsibilities. Leland at age nine was large for his age, handsome, and unspoiled. His education was described as sensible and practical, with emphasis on basic skills which would allow for later development in accordance with his own inclination. He would be given, it was hoped, an opportunity to follow his marked predilection for engineering and mechanism. Nevertheless, as one writer observed: "Though Leland DeWitt is the heir to the Stanfords, the Governor believes in bringing up his boy in the spirit of self-dependence, so that if the father's riches do be-wing themselves, the son will be able to take care of himself." It was not long after this Christmas occasion that Leland DeWitt, with growing love and admiration for his father, asked that his name be changed to Leland Stanford, Jr.

His princely mode of living notwithstanding, Leland, Jr., managed to enjoy just being a boy. His scores of letters to friends and relatives tell of his boyhood activities, his interests, his developing skills, and always of his love and concern for his parents.

On a trip East with his mother in 1879, for example, he wrote to his friend Wilsie: "Mama came downstairs to day and plaid on the piano. I have sent for my boat. We had a delightful trip on the Sierra Nevadas we had a foot of snow. Wellington [*a friend*] and I had snow balling to our hearts content our fingers were numb for a half an hour afterwards. Affectionately yours, Leland Stanford, Jr."

From Albany, New York, where the boy and his mother were visiting her family, he again wrote to Wilsie: "Hoping you are well we take pleasure in writing a lot of gab to you not knowing what else to say." He then spoke of his bicycle, a Columbia, and continued: "I fell on the ice and hurt my nose. I have got a dog and



have splendid times with him. Next door is Mr. Burns, our butcher, he tells me all about the war. . . . Tada la loo until again. With love from my dog, Wellington, and myself I remain yours, Leland Stanford."

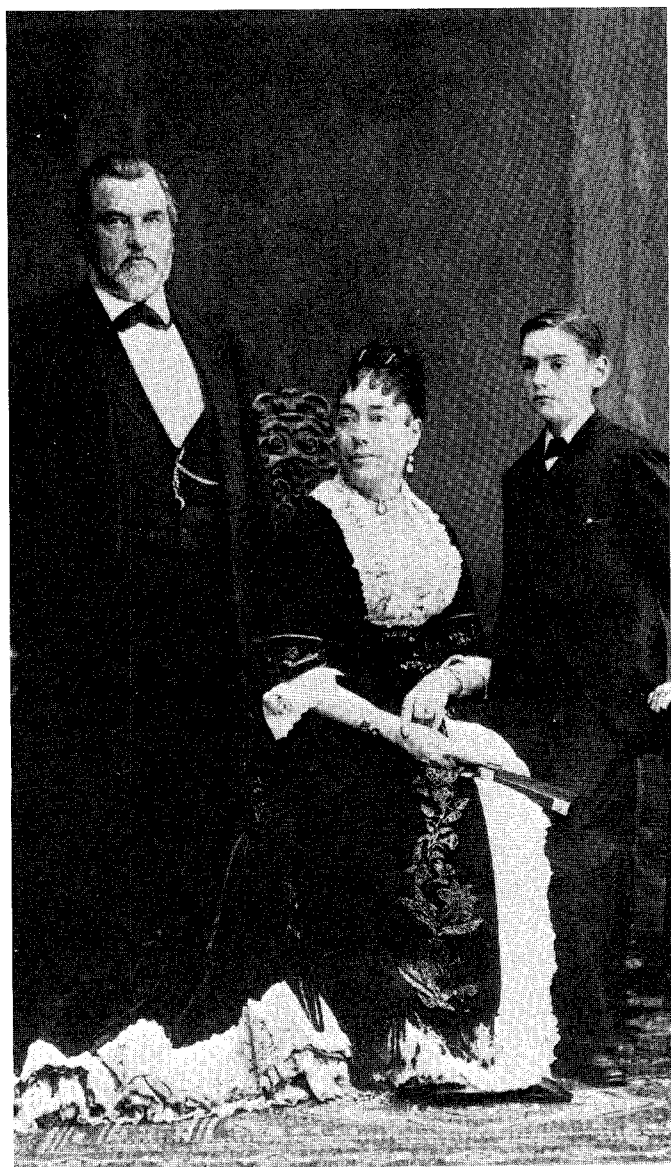
A month later on March 30, 1880, he had added experiences to relate: "Dear Friend Wilsie: I have been collecting a great many stamps to show you when I get home. I must not forget to tell you of my pet roadster, my bicycle. . . . The boys here have formed a bicycle club. . . . We have eight bicycles in the club, and have a captain, bugler, and secretary. We have badges made of ten cent pieces with the initials of the club A. Bi. C. engraved on them." Switching to the subject of his dog, Tootsy, he wrote: "She is a rowdy for sure, the other day she ate up my pigeons." Leland closed with an admonition: "The first of April will soon be here, I hope you will not have many tricks played upon you."

Two years later the fourteen-year-old Stanford wrote from New York, and with growing sophistication yet youthful boastfulness he informed his friend that for a whole week he had not been to bed before midnight. "This will show you that we have been very gay, it has been one theatre after the other, Patti, Mrs. Langtry,

Chas. Wyndham, et al (this is Latin). . . . I don't think Mrs. Langtry is so pretty because she is so thin."

Outgrowing his childhood toys and activities, Leland became interested in workable machines which he could use. At the family home and stock farm at Palo Alto, he was able to indulge his mechanical bent and demonstrate his entrepreneurship by building a miniature railroad. For the technical assistance he received, he gave polite thanks: "Mr. J. T. Wilson, Dear Sir: I am very much pleased with my car. I did not expect it would be so light and handy as it is. I am now laying the track and hope to have it completed and in running order by the last of the week, and I thank you very much for the pains you have taken to please me. Respectfully yours, Leland Stanford, Junior."

To an eastern friend, Leland wrote that when the friend next visited California, Leland would be able to give him a ride on his own railroad. The track was to reach from the house to the stable, but an extension was already planned. Leland also envisioned an adjacent machine shop. Addressing Mr. Wilson again, he wrote: "I am very anxious to have a small boiler made for a little stationary engine. I have seen Mr. Benson, foreman of



Mature for his years, Leland worried a great deal about his parents, Jane and Leland, Sr., who suffered from chronic ailments.

the boiler shop, and he tells me he can make what I want for about \$15, but he needs your authorization." Even amid the glamour and shifting scenes of his travels abroad, Leland's thoughts and plans were often back in California. From London he wrote to Miss Lizzie Hull, a favorite correspondent: "Mama and Papa have promised to give me a complete machine shop at Palo Alto when we get home."

Travel was a way of life with the Stanfords, and the year 1880 found Jane and her twelve-year-old son on an educational and pleasure tour of Europe. Jane's letters to her husband contain many references to their son, and she especially noted his eagerness to view the countless art treasures and historic sites and his surprising discrimination of their worth. Leland's developing language fluency was also apparent. From Brussels Mrs. Stanford wrote: "Here everyone speaks French, so now he begins as naturally to use it as if he had always spoken it—he astonishes me."

That Leland was an observing, imaginative boy was readily apparent. Before visiting the battlefield of Waterloo, he read its history and dreamed of finding bullets in the ground. He wanted to stand on the very spot where Wellington had stood. "Mama," he said, "it is not what you see there but it is what you take there that makes it interesting; otherwise it would not be anything but a wheat field perhaps." Jane observed, "I think Leland is far ahead of his years in good sense."

In the fashion of the day, Young Leland kept a log. In Brussels, he entered the note: "Spent the day sight seeing. Went to the Musee Wirtz, a most curious collection of modern pictures, one of Napoleon in Hell." On another occasion he wrote his father from Nice: "We left Paris on Monday last for Lyons where we stopped one day. We went to the silk factory to see them weave the silk pictures—saw them weaving a picture of Lincoln." He then described the procedure in detail, drew a rough illustrating sketch, and commented, "Lyons is a very dirty city."

Travel being leisurely, the Italian journey found Leland's mother reading aloud from *The Last Days of Pompeii*. When he and his mother first sighted the red glare and smoke of Vesuvius against the darkening evening sky, Leland "went wild with excitement." In Rome they witnessed King Humbert's magnificent birthday parade with its martial music, flags, and soldiers, and they were fascinated that the king's horse looked exactly like their own horse, Onward. Received by Pope Leo XIII, Jane wrote that she was "amused to see Leland put the pope's hand to his mouth and kiss the ring as all the others did." Leland requested several rosaries to be blessed for friends.

Despite the excitement of new adventures, as the weeks went by without the expected arrival of Stanford, Sr., mother and son grew increasingly lonesome. The boy accordingly addressed his father: "I hope dear Papa you will come to us soon we are very tired of being here without you. Mama gets dreadfully homesick. From your loving son, Leland D. Stanford." When the pressure of railroad affairs continued to prevent Mr. Stanford from joining them, they finally returned home.

In 1883 the Stanford family was established for some time in New York. Friend Wilsie received another letter from Leland asking him to "write me about my puppies and tell me if they are well. . . . I have not been to the theatre often because I have been sick for ten days with a cold." Continuing on, Leland expanded on the hazards of winter driving in the city:

Papa has been nearly run away with twice. Once the breeching was too long and let the sleigh on the horses heels, and once with a team that had never been in a large city. Then, in the stable, the elevator for hoisting up the carriages to the next floor broke down with the large sleigh on it (the sleigh weighs about 1,000 lbs.) and fell on the coachman's arm and broke both the bones. Besides this, both the new carriages

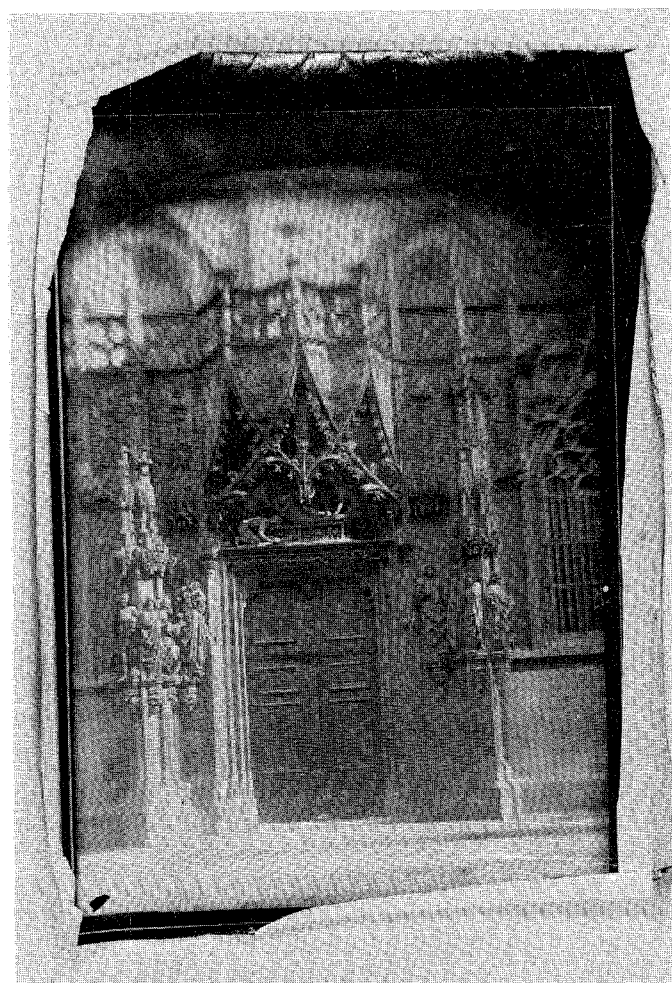
were run into while standing still, and Tom the coach dog that used to be at San Francisco and Menlo was lost, but we found him again, so you see we have had a hard time of it. I heard about your snow storm and hope you enjoyed it. Here we have a good many of them and don't enjoy them, for half the time it only makes mud and slush. It is snowing now and this time I think it will make sleighing. . . . Ever your friend, Leland.

P. S. Mama has not been at all well.

In June of 1883, the complete Stanford family set off together for Europe aboard the R. M. S. *Germanic*. Both of Leland's parents were ill, and they hoped that the trip would give them a needed rest and change, in addition to enlarging young Leland's cultural horizons. In a shipboard letter to his Aunt Kate, he wrote: "Papa has not improved as much as we hoped for, he has suffered a great deal nights. . . . Mama has not been well at all, she has only been to the table twice and she has had a great deal of pain in her head and eyes, they have been bandaged half the time. I hope you will write to Mama often and keep her cheered up and write me about Toots."

Health matters had evidently improved by the time the family reached England. In a letter to his friend Miss Hull he wrote of viewing the sights of London from a hansom and from the tops of buses. In the telling he revealed a youthful eye for the ladies and confessed to a show of temper: "Yesterday we saw the most beautiful girl Mr. Nash or I ever saw, she was very handsome and very well dressed. N. admits it. Owing to our natural sweetness of temper we have only had one row since we came. That was over the head of Count Corti, and Italian ambassador (the one sent to the Berlin congress), whose room was underneath. I think he thought Bedlam was let loose."

During this trip abroad, Leland's last, his parents' recurring ailments brought him concern and responsibilities which he shouldered manfully. Still he managed to do his daily lessons, see the sights, and, when things were looking up a bit, even have some fun.



Account		Apr 81
1881	Amount brought forward	194 70
September 27	To 3 auffie	10
"	Syrup	50
29	Picture	1 50
"	Purse	2 40
30	Panorama	4 30
"	Ansiette	10
"	do	05
"	Bunch & judy	20
"	Eggs	30
Oct. 1	Pencil	2 10
"	Spent in galleries	70
"	Cash spent	10
3	Spent	1
4	Parrots & brushes	3 10
"	Chairs	2 51
6	Soda water	1
"	Candy	1
"	Spent	25
11	Lyord	18
"	Houston's subject	
To carry over		fr 258 90

In 1880-81, Leland accompanied his mother on a tour of Europe. He kept a photographic journal (top), which contained his image of an entrance to a French cathedral (left), and a record of his finances, including his expenditures in Paris.

Mrs. Stanford suffered from periodic inflammation of her eyes, a painful ailment which often necessitated staying in a darkened room. Unable to read or write when sick, she experienced spells of depression. Mr. Stanford endured violent head and back pains and weakness of his legs which often made walking difficult. Finding the best medical care for these diverse afflictions made separation of the family members obligatory. Mrs. Stanford and Leland were alternately in Paris and Havre, France, while Mr. Stanford rested at Bad Kissingen in Bavaria and Bad Homburg near Frankfurt. From the Hotel Bristol in Paris, Leland addressed his Aunt Kate on August 2, 1883: "Mama can not write or read yet. . . . Yesterday the Doctor said that all Mania's sickness came from blood poisoning, and he said it was queer that the Doctor's in N. Y. did not see it when the rash came out on her head and she had all these fainting spells."

Possibly seeking a quieter spot, but one with medical attention still readily available, the boy and his mother moved to Havre. Leland informed his father: "I write to tell you how we like this place. It has rained every day since we arrived. The wind blows and whistles around this hotel all the time, and the waves keep up a continual roar on the big stones that cover the beach. Dr. Brown Sequard [*a renowned physician and neurologist*] says he likes it here because the sun never shines here."

Leland's days were fully occupied. Despite the inclement weather, he swam frequently and told his father he was trying to imitate Captain Webb, the first man to swim the English Channel. His studies were not neglected. "I work three hours in the morning with Mr. Nash and one hour in the afternoon with my German teacher."

Leland continued to write to his father regularly. When Mrs. Stanford was feeling better, Leland was able to arrange to drive twelve miles into the countryside. "We had quite a time coming home, the coachman drank too much wine at the hotel and fell off the box on the return trip but he was not hurt. I have hired a phaeton

and a very old horse, so yesterday evening I took Mama and Miss Hart (of Paris) off for a drive around town. . . . I will write you every day now and tell you how Mama is."

But Mrs. Stanford's ill health continued to plague her, and on August 25, Leland wrote: "This is Mama's birthday, we tried to make it as cheerful and as pleasant as we could. . . . I gave her a bouquet and ivory box and paper cutter. This day is the first Mama has sat in the garden this week." Leland then went on to say that the doctor continued to forbid her to ride in a carriage and that she was forced to stay in a darkened room most of the time. "I wish," he added, "Mama could get away from the Doctors because as soon as she stops their medicine she gets better."

Three days later Leland reported that "the Doctor stopped the Mercury treatment today as her system is filled with it so much so that her rings look like old silver and her mouth and tongue are covered with blisters, she can not eat anything hard. He began the potass treatment again to day in very powerful doses. Mama dreads it. . . . He gives it in such powerful doses that it takes her courage away." Finally, the young lad was himself near exhaustion. "Dear Papa. . . . To night I am so tired I am almost asleep so you will have to excuse the writing, dear Papa." In a faltering hand, he managed to close: "I remain your loving son, Leland."

Perhaps hoping that a change of scene would bring recovery, Jane and Leland returned to Paris, and shortly thereafter Jane's condition did improve. On September 2, 1883, Leland was able to write his father from the Hotel Bristol: "We arrived here at five o'clock yesterday evening after a dusty but not a warm trip. Mama felt so well that at 8 o'clock we went to the Hippodrome and enjoyed ourselves very much. To day we went to the Tuilleries garden to see the Fête for the poor of Paris. It

was one of the worst days we have ever seen here, the wind blew so hard last night that it smashed a good many of the booths and knocked down the largest theatre at the fair." But no sooner was health regained in one quarter than it disappeared in another. "Dear Papa," Leland wrote, "I am sorry to hear that your head is troubling you again. I hope Homburg will do you good."

Jane's ups and downs continued too, and fifteen-year-old Leland remained skeptical of the medical attention she was getting. "The Dr. was here this morning and was excited over Mama's condition. I don't see why because she is exactly as she was yesterday or the day before. Last night we went to the theatre she felt so well. . . . I wish Mama could go to Homburg and take the waters, as the medicine the Doctor gives her takes away her appetite and she says she feels she is growing weaker under the powerful doses. I wish we were all home at Palo Alto, I think Mama would get quite well there."

Despite his worry about his parents, Leland continued his own activities. In addition to his daily studies with Mr. Nash, he did gymnastic exercises and took an occasional dancing lesson. With other young visitors at the hotel, he sailed boats in the park, and they invented a game in which they pitched stones at toy balloons let loose to catch in the branches of trees. A collector at heart, he wrote: "I have been buying several things for my Museum, and I think that I shall have to enlarge it when I get home."

Like any nineteenth-century boy, Leland was fascinated with things military, and lead soldiers in colorful uniforms were featured among his toys. To his friend Wilsie he had written from London: "There has been a military Tournament at the Agricultural Hall. It was very exciting. The Balaclava melee was great fun, 6 men with white plumes and 6 with red, on bare back horses trying with sticks to knock the plumes off one another's heads—which were covered with strong masks. They beat each other very hard and almost had a fight at the end they got so excited."

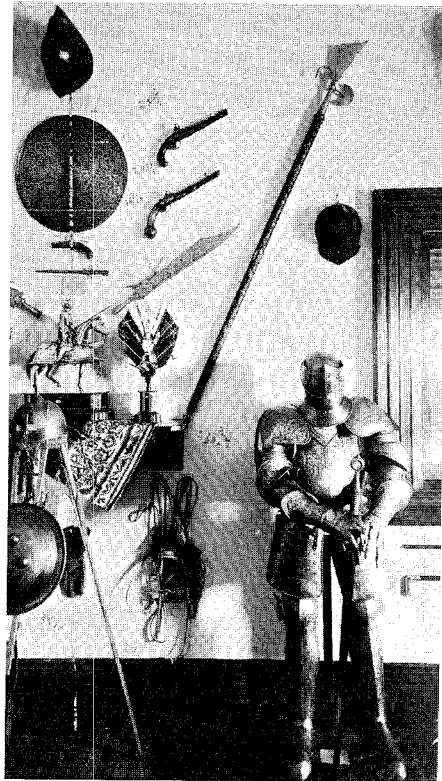
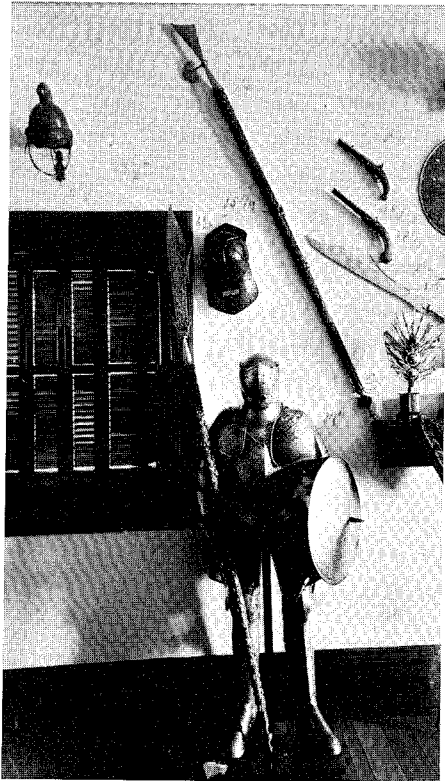
Leland was also thrilled at the sight of Waterloo, which was then regarded by historian Edward Creasy as the last of the "Fifteen Decisive Battles of the World." "I brought back some interesting relics," Leland wrote, "a bayonet and two rifle balls picked up on the field and a piece of the stone fence of Hougomont."

With the military images still in his mind, it was small wonder that he expressed the wish to visit Homburg, the place where his father was taking the waters. To his Aunt Kate he later wrote: "We have been spending a week with Papa at Homburg. . . . I enjoyed it very much as Emperor William of Germany, King Alfonso of Spain, King Milan of Servia, the King of Saxony, the Prince of Wales, the Crown Prince of Germany, the Duke of Cambridge (uncle of the Queen of England), and General Von Moltke were there to attend the Autumn Maneuvers. There were thirty-two thousand soldiers. We went to the parade and sham battle which was very interesting."

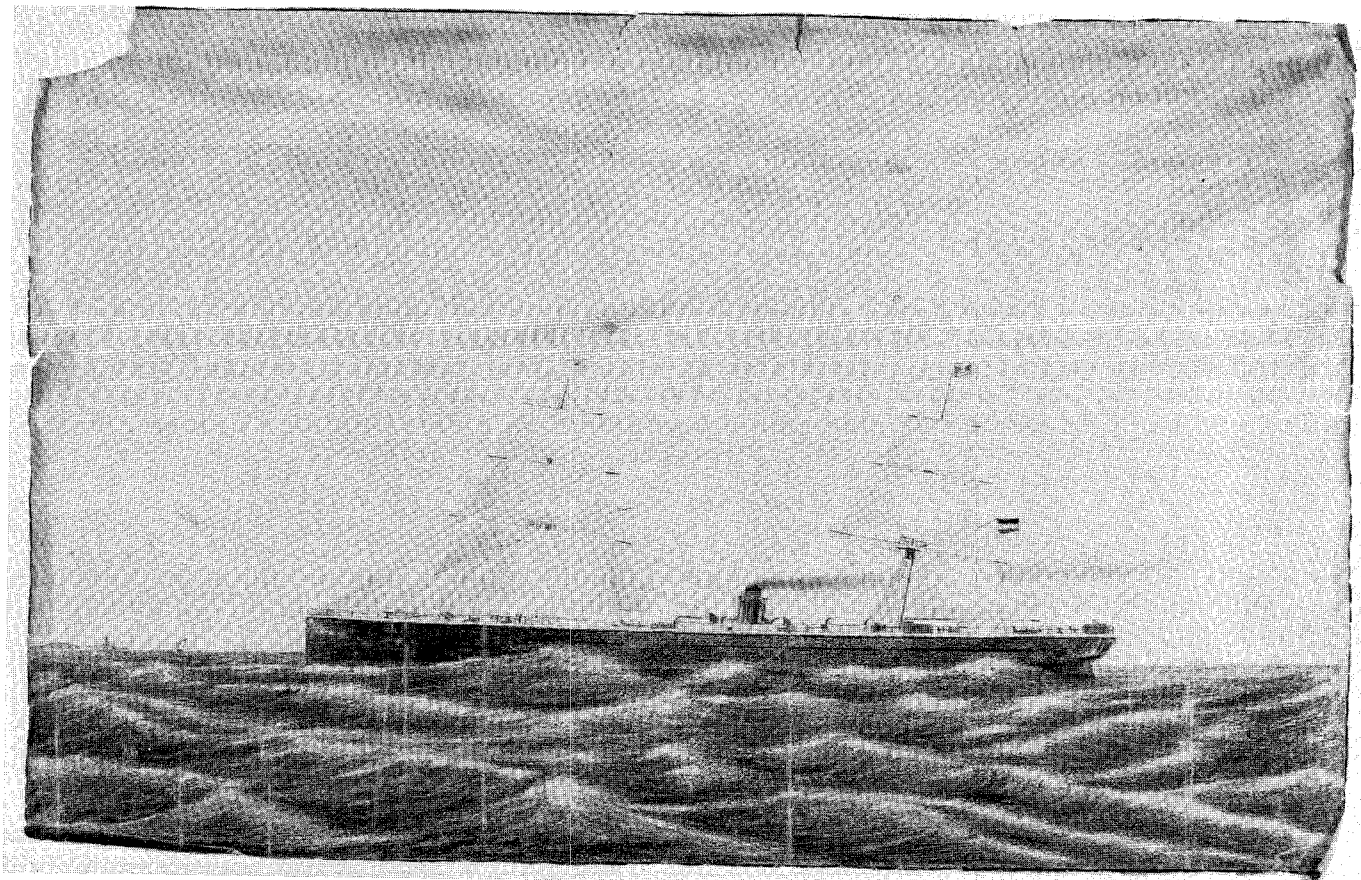
During his travels Leland made no mention of receiving any formal religious instruction, but visits to the great cathedrals were a part of seeing the sights. The spire in Cologne, he noted, was 532 feet high. His curiosity was aroused by the supposed remnants of the bones of the 40,000 virgins massacred by the barbarians, but of the other religious relics he commented that "they are chiefly interesting to Roman Catholics."

With the worst of their troubles apparently over, the family was again united in July of 1883, and they thoroughly enjoyed a steamer trip up the Rhine with its banks of terraced vineyards and picturesque ruined castles. Young Leland found the Rheinstein and Drachenfels the most alluring. Debarking at Bingen, they stayed at the Hotel Victoria on the river bank. "Here," he wrote, "thanks to my racing from the steamer before any one could come up, we had very nice rooms."

Leaving Bingen they returned briefly to Homburg. There it was not the crowned heads and generals that attracted Leland, as on his former visit, but he received a



The ever-curious Leland documented the sights he saw in Europe. He sketched a steamship in chalk (below) and collected unusual objects including military paraphernalia for his museum room in the Stanford house in San Francisco.



Leland's last letter, written in February, 1884, and displaying a shakier hand than usual, described his adventures in Constantinople and Athens. He mentioned that both he and his mother were not feeling well again, and less than a month later Leland died at the age of fifteen.

warm greeting nevertheless. "I was very glad to find my old friend the dog Max, who seemed as glad to see me as I was to see him. I immediately took him out for a walk in the Park, he bounding and barking with delight when I let him loose."

Though traveling, Leland's studies remained important. From Baden he wrote: "Had my lessons in the morning, and afterwards stayed indoors as I had taken cold. I read *The Young Voyagers*." Leland's favorite books were stories of adventure, travel, and exploration, and he occasionally wrote marginal comments when some topic struck his fancy. The proprietor of their hotel gave him a cuirassier's or cavalryman's helmet and some bullets, relics from a battlefield of the Franco-Prussian war. "They will prove valuable additions to my museum," noted Leland.

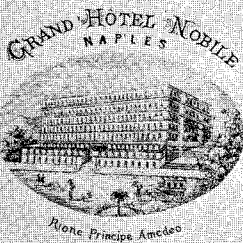
The young man was rapidly growing up, and as befitting a Stanford son, he began developing a sense of business values and acumen. After visiting Bordeaux to see the wine-making industry, he informed his uncle Ariel Lathrop that the vines were flourishing and not being destroyed by blight as had been rumored. Displaying an interest in prices and productivity, he wrote: "The La Petti vineyard, 750 acres in size, was sold to Mr. Rothschild at auction for over \$7,000 an acre, and it takes a man and one half to an acre. . . . The net income is from three to four hundred thousand dollars per annum." In addition he acknowledged the good news from the Palo Alto stable: "Papa has just received your cablegram telling of Bonita's success at Lexington. The unusual success of the horses pleased us very much."

Leland's letters continued as the family crisscrossed Europe. On December 25, 1883, he wrote to Aunt Kate from Vienna: "It looks like Christmas here for it is snowing pretty hard. . . . I will write you another letter from Constantinople and tell you about the wily Turk. . . . I expect to get a good many things for my Museum. I only make a collection of Egyptian, Greek, and Roman."

A long letter from Naples to Miss Hull, dated February 11, 1884, fairly bubbled with the enthusiasm of a youth who was seeing and doing extraordinary things. After leaving London and Paris, he wrote, the family had gone to Nice where he had a very enjoyable time, because the American fleet was at Villefranche where they gave dances every Thursday. A journey to Constantinople by easy stages was then decided upon. Their first stop was Venice where, three evenings in succession, they floated by gondola, accompanied by a boat of singers, to the Rialto. Next, they spent ten days including Christmas in Vienna, attending an opera almost every night. New Year's found them snowbound in Bucharest, Romania, until a sleigh took them over the river ice to a small island in the Danube. From there they crossed the river in an open boat amid floating ice to Roustchouk, Bulgaria, where the train for Varna was waiting.

Arriving in Constantinople, the Stanfords agreed they were in the strangest country they had ever seen. An aide-de-camp of the sultan took them to the royal treasury where they viewed diamonds by the bushel, one emerald as large as a man's hand, bowls full of rubies, emeralds, and pearls, and carpets of gold covered with precious stones. After this dazzling display they were taken to one of the sultan's private kiosks and served coffee in cups with gold holders set with diamonds and a delicious mixture of preserved rose leaves.

Next traveling to Athens, Leland had the thrill of meeting the famous archaeologist Dr. Heinrich Schliemann, who invited him to his private museum and gave him several small fetishes or charms that he had found in the sixth City of Troy. In Leland's closing paragraph of his letter from Athens to Miss Hull, he wrote: "Papa is pretty well except for his stiffness, and he does a great deal of sightseeing. Mama and myself are not well for the present because we have been going it too hard. Mr. Nash lost his valise in crossing the Danube, and now anything that can't be found happened to be in that. It must have been as large as Noah's Ark and contained the



Naples Feb 11 1884

Dear Miss Hull

I have seen lots of things since I wrote to you last. We went to Nice after leaving Paris and had a very enjoyable time as the American Fleet was at Villefranche and they gave dances every Thursday. From Nice we determined to go to Constantinople. We stopped at Venice five days and had

the cross after it is Mr Nash's work.

Mr Nash lost his valise in crossing the Danube and now any thing that can't be found happened to be in that, it must have been as large a Noah's ark and contained the treasures of the Indies. We are all sorry to hear that you are sick and hope you will be well soon.

Best wishes from all and love from me
Leland

P.S. I had a letter from Annie yesterday they are all well. The we ~~are~~ with

treasures of the Indies. We are all sorry to hear that you are sick and hope you will be well soon. Best wishes from all and love from me. Leland."

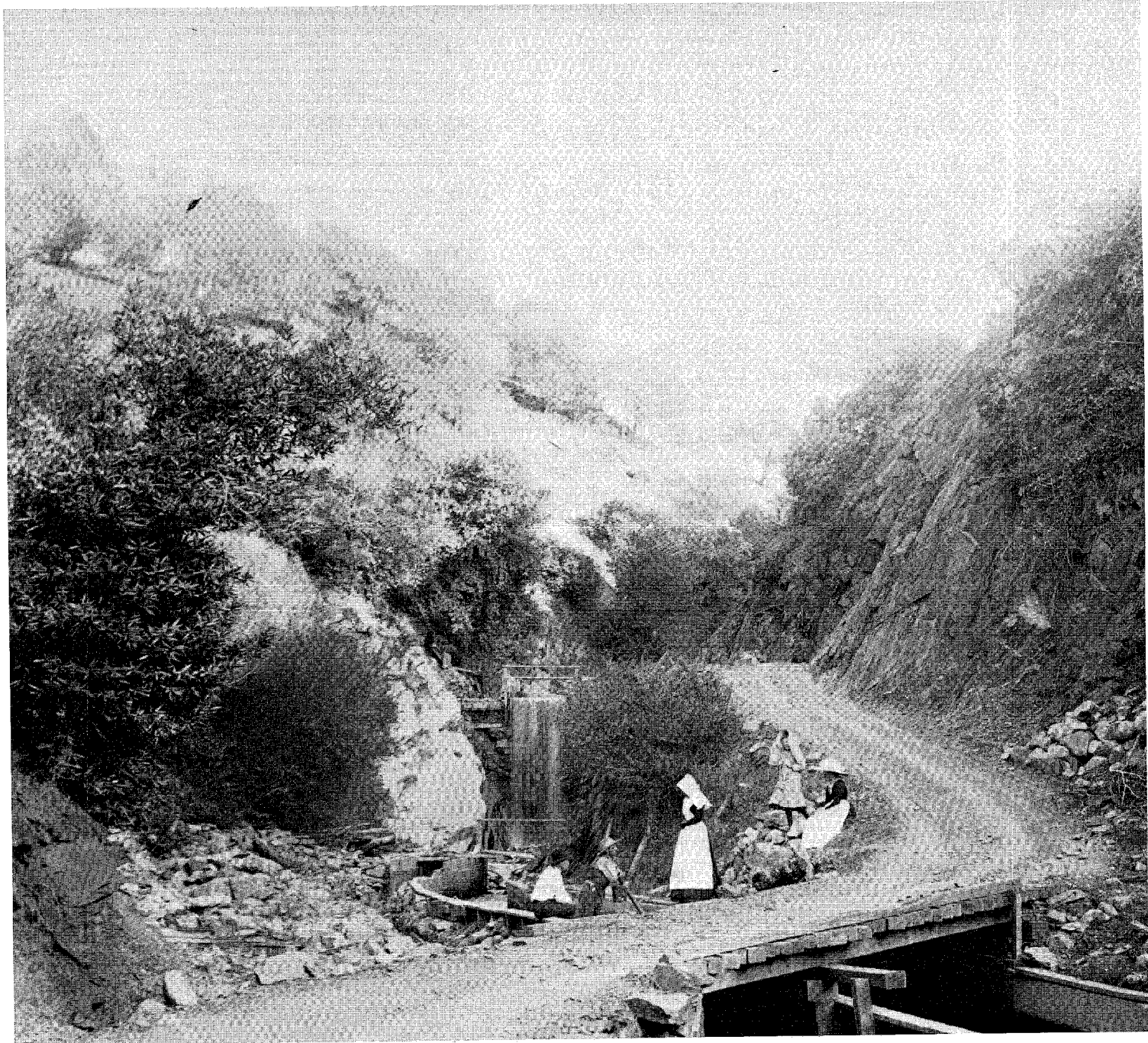
In the telling of his adventures, Leland had relived the thrill and exhilaration, but having finished, he became unnaturally listless. A nagging headache was a disagreeable new experience for him, and his mother grew concerned and anxious to get him home. Her fears proved justified, for her boy was suffering with the long prodromal symptoms of typhoid fever. A few weeks later, on the thirteenth day of March, 1884, Leland Stanford, Jr., died in Florence, Italy.

What followed is well known. Young Leland's part in establishing Stanford University was, of course, purely passive unless one gives credence to his distraught father's dream in which his dead son exhorted him not to languish but to work thereafter for humanity. Some eight years

after the lad's death, Senator Stanford reminisced: "I want to better humanity. I used to teach our boy to always be sure and so conduct himself as to respect himself, then he would be pretty sure to be happy. I think he never forgot that. He was a truthful boy, too, and did not care to read books that were not true, and it is very important what books boys read. . . . I have been thinking about our boy and how sad that he was taken away from us, but how much worse it would have been if we never had had him." Through the means of the great university that bears his name, the world of learning is the richer for young Leland Stanford's short stay on earth.

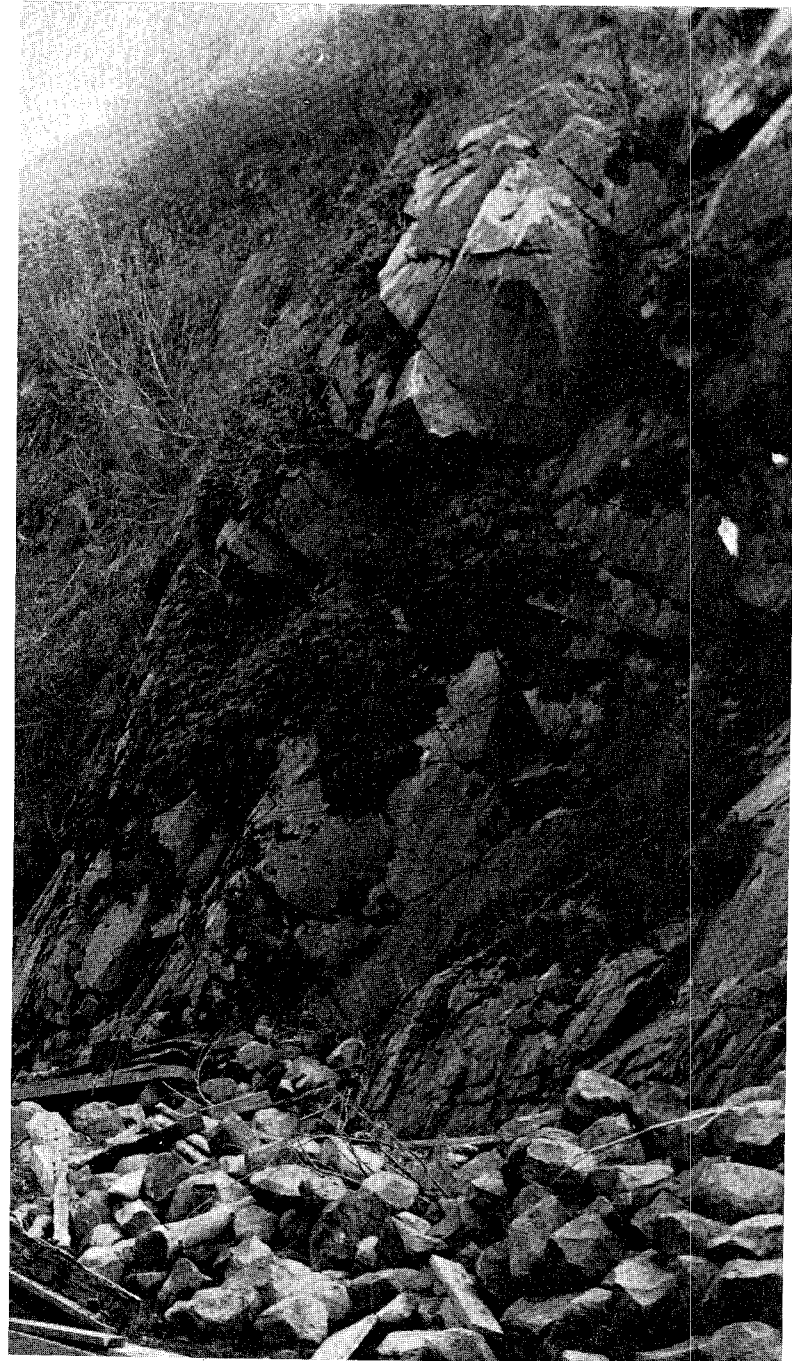
Leland's drawings and photographs are from the Stanford University Museum of Art. The family portrait and the letters are from the Stanford University Archives.

The Crooked-Neck Horse and the



Winding Placer County roads followed streams being worked by prospectors.

Side-Wheel Mule



Teamsters to the mines of California in the 1850's and '60's developed the art and science of hauling heavy loads to a pinnacle that was the wonder of knowledgeable visitors from the Old and New Worlds alike. The requirements, real and fancied, of a quarter-million miners with gold in their pockets and a mountain range to turn upside down combined with the robust spirit of the people and the times to create a transport system that reached from the remotest gulch of the Sierra to the ends of the earth and reduced all previous arrangements in the history of commerce to the status of fumbling preludes.

The California clippers revolutionized sea trades while such sparkingly profitable monopolies as the Pacific Mail Steamship Company, the California Steam Navigation Company, and the California Stage Company engaged the attention and admiration of an upcoming generation of entrepreneurs. And out at the end of the line, the Stockton wagons rolled out from the levees at Marysville and Sacramento and Stockton with those hundreds of thousands of tons of picks and shirts and carpet tacks (not to mention baking powder and champagne) that had come around the Horn or across the Isthmus.

While the clipper ships have been celebrated to the point of myth, and the stages and side-wheelers have attracted scholarly as well as popular attention, the men and beasts who provided a crucial link in what our astronautical age would call "the life-support systems" slipped into the oblivion of the obvious, together with other critical social technologies, such as the method of printing and distributing election ballots.

Indeed, in some fifty-six years the term "mule" has infrequently disgraced the pages of the California Historical Society's far-ranging magazine, if one is to judge by the indexes, and while "teamster" must assuredly have been mentioned somewhere, at least in connection with Denis Kearney's credentials as a workingman, it seems not to have attained the status of a subject heading. In a movement to correct this deficiency, we present one of the several California teamster

Nancy Olmsted is the author of the Sierra Club's trail guide to the Golden Gate National Recreation Area, *To Walk With a Quiet Mind*. Roger Olmsted is co-author of the recently-published history of San Francisco, *Mirror of the Dream*.

yarns that J. A. Filcher preserved as a characteristically curious public service in a privately printed paperback volume of 1903 titled *Untold Tales of California*. In the authors' copy is a letter of 1922 from Filcher to A. M. Robertson, San Francisco publisher and bookseller, written in a hand that had begun to tremble. The author avers that there are no more books left.

While one must naturally treat with some suspicion the yarns of a genuine old-time California raconteur, it must be held that Filcher knew his subject. He came across the plains with his family in 1859, when he was at the observant age of fourteen, settled in Yuba County, and was "owner and editor" of the *Placer Herald* in Auburn in the days when memories of the golden years were still green. Later, he promoted California's future in citrus farming and developed a celebrated taste for managing exhibitions and fairs. He told stories, and finally he wrote some of them down. Herewith the reader will find Filcher's introduction to "Teamster Stories" followed by the tale of the horse and the mule (edited very slightly for internal consistency and conformity with other sources). The story should be read out loud, with free lunch and steam beer.

* * *

In the early days teaming in California was a science. The principal population was in the mines, and all the supplies of machinery, tools and provisions had to be freighted by pack trains or wagons from the nearest river points across the valleys and up the mountain grades or trails to the diggings. Teamsters and packers had neither unions nor trusts, yet they commanded practically their own prices and made money. The wealth thus easily earned was lavished on fine mules, big horses, and new wagons. A rivalry existed as to who should possess the finest outfit. The four-animal team grew in a short while to six animals, the six-animal team to one of eight animals, the eight to ten, and the ten to twelve. This was the limit, as a greater number could not be worked to advantage on the turns of the mountain grades. Indeed, with

more than six animals it was found necessary to have two wagons, one fastened close behind the other and called in those days "a back action." On short turns these wagons were hauled around one at a time. They were also hauled separately up the steepest hills. Each enlargement of the team involved a new wagon, and each new wagon must have all the latest improvements known in those days to the art of wagon-building.

The ambition to excel in the ownership of the biggest or finest mules or horses ran the price of such animals to fabulous figures. A thousand dollars a mule was sometimes paid, and there were instances where an extra-choice animal brought as high as \$1200, \$1400, or even \$1500.

Next to fine mules and a fine wagon the teamster prided himself on fine trappings. Each bridle must be adorned on the side with a fox tail and have a forehead flap decorated with a bright metal star. Bearskin housing covered the hames, and the hames were surmounted with a set of bells. These teams were driven invariably with a single or "jerk" line. It can be imagined that a teamster thus equipped was a very proud man.

There were three grades of aristocracy in California in those days. First and foremost came the river steamboat captain; he was a bigger man than anybody. Next to the steamboat captain was the stage driver; in the interior away from river points the latter held sway. Next to the stage driver was the teamster. Of course there were degrees of nobility among the teamsters, varying according to the number and size of the animals and the newness and "chuck" of the iron-axle wagon. The teamster with only four ordinary horses was tolerated by the duke who drove twelve mules and had a red wagon, and bearskins, fox tails, and bells, because the former belonged to the same fraternity and was liable to promotion, but between the mule drivers and the ox teamsters (bull whackers as they were called), there was an impassable barrier.

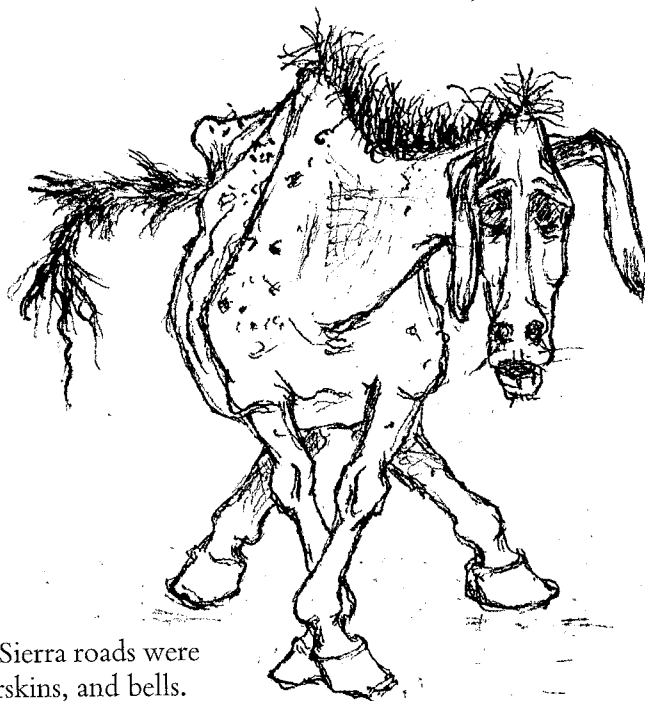
* * *

The Jolly old Miner



Lith. & Pub. by Britton & Rey.

What!—Jim! Come home right again?—
No I an't tight; I've been knockt of my horse and robbed, and after robbing
me, they put me on my horse again and cut his head off!



It must not be supposed, of course, that all the teams on the Sierra roads were composed of fine animals and decorated with fox tails, bearskins, and bells. On the contrary, there were some very shabby outfits in the mines. The ambition to be a teamster, stimulated by the demand for freighters and the money to be made in the business, prompted some parties with limited means to make a start with any kind of an old rig until their accumulations would enable them to do better. Old creaky wagons were patched up and old broken-down horses and mules were gathered together and made to do service. As may be supposed, the drivers of such combinations were the butt of a great deal of ridicule.

Now, it happened that two of the very worst of such makeshift teams met one night by accident in the yard at Bishop's Hotel, near Auburn.

In one team was a horse that from general appearances might have been turned out to pasture by Sir Francis Drake when he first landed on the shores of the Pacific, and in the other was a mule that from the length of his teeth and the wrinkles over his eyes appeared old enough to have seen service with Father Kino.

The horse had suffered many ailments and carried the marks and scars of hard usage. His ribs stood out like lattice on the windows of a country house; his saw-tooth back was covered with scabs and sores; he had a poke neck, cracked hoofs, and swollen joints; a different limp in each leg gave him a wobbly, winding motion which, added to the side crook in his neck, left you in doubt as to the direction he was going.

The scars on the mule, if possible, were more numerous than on the horse.

One of his legs had been broken and set crooked, so that the toe of his shoe had to be built on the side of the foot. One eye was knocked out and there was a scum over the other. His ears lopped down by the side of his head, one falling forward and the other backward; several ribs were broken in, which gave to his breathing a sound not unlike the combined snore of ten tired miners.

It further happened that the owners of these two animals were watering them that evening at the same trough. The men were strangers to each other. As the creatures drank, the man with the mule was looking at the horse, and the man with the horse was looking at the mule. Finally the silence was broken by the mule man, who said:

"Stranger, that horse of yours looks like he might have been brought here by General Sutter."

"I guess he was," replied the horse man, "but if looks are what you go by, your mule must have been owned by Columbus."

"You mean to stand there and say that my mule is older than your horse?" asked the mule man with some show of feeling.

"Of course he is," confidently replied the horse man, giving his animal an affectionate swap on his boney rump.

"Well, there's one sure thing. Your horse can't outpull my mule." No sooner had he said it than the mule stopped drinking and swung his ancient head back to look at the stranger with his good eye.

"I don't know about that," retorted the horse man.

"See here, stranger," said the other, "this mule can outpull your old horse any day in the week, any place you name, and—" here he paused dramatically, "for any amount you care to name."

The owner of the horse appeared to think this over. "He might outpull him but he can't outrun him. I'll wager that."

"Yes, he can outrun your horse, too!" replied the owner of the mule, defiantly.

"I'll bet you a hundred dollars he can't."

"You will?" said the mule man, "How far do you want to run?"

"Any old distance you want to, from one mile to one hundred."

"All right," agreed the mule owner, "I'll bet you \$100 and put up the money that my mule can beat your horse from here to Sacramento and back."

"Money talks," replied the owner of the horse. "Come right over to the bar and we'll put up the stakes."

As they entered the hotel, each jingling a handful of twenties, the landlord and the assembled teamsters were at once eager to know the cause for the display of so many double eagles.

Auburn, hub of mining activity in the 1860's

This was explained in a few words to the innkeeper, who agreed to hold the stakes and announced to the house the terms of the approaching contest. The teamsters in the house, with money in their pockets and always ready to encourage anything that promised some diversion, were immediately as much interested in the controversy as the principals themselves. They at once began to take sides, and never were racers more carefully scrutinized or more thoroughly discussed by parties desiring to wager on their merits than were those old crowbaits by the teamsters and others who assembled in the bar-room at Bishop's wayside inn on that balmy September evening.

It was agreed that the race should come off in one week, on a day when it would be convenient for both to meet again at the same place. Each animal must be ridden or driven by its owner. They were to start on signal from the plaza in Auburn, go to Sacramento, 'round the Ninth Street park, and return to Auburn. The distance from Auburn to Sacramento is 35 miles, making the race 70 miles.

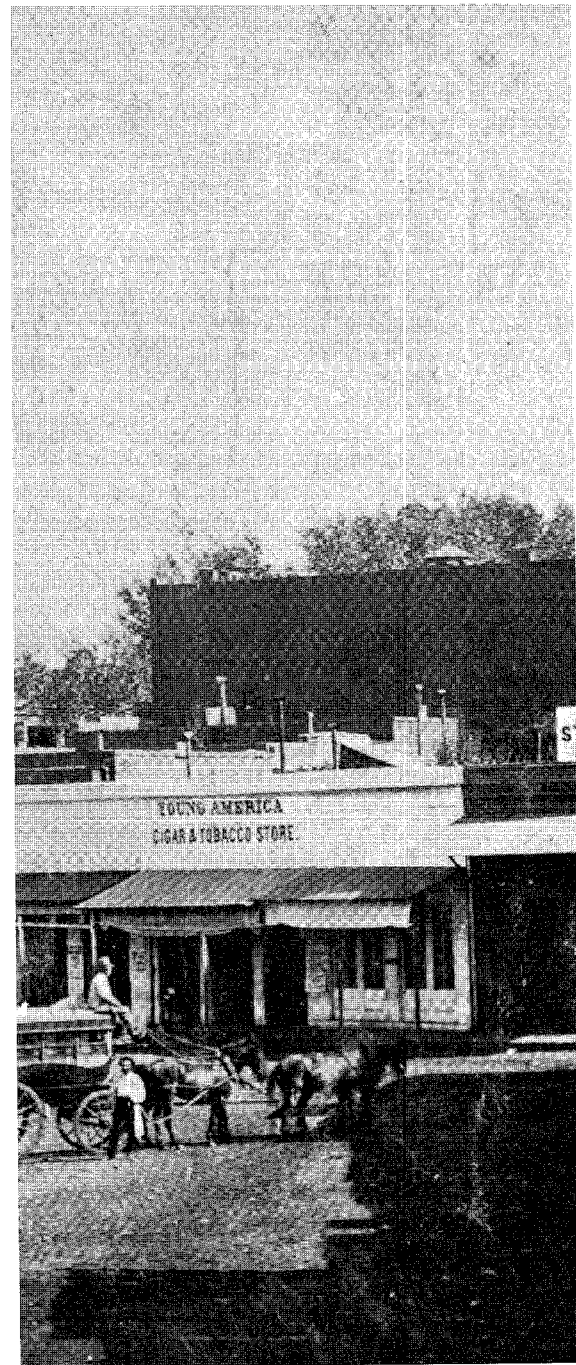
The news of this proposed event spread rapidly in all directions. Most of the teamsters and wayside tavern keepers knew the animals, as their scrawny appearance made them objects of interest.

Teamsters had previously discussed the question of the poorest animal on the road but had never been able to agree as to whether this distinction belonged to Mike Beck's horse or George Hudson's mule. There had been no dispute that the title belonged to one or the other, for of all the creatures used in the freighting business there were no others so ungainly or dilapidated. If there was to be a race between scrubs, therefore, it was agreed that these of all others were the animals to compete.

Wherever men met it was the theme of discussion, and all kinds of calculations were made and speculations indulged in as to which would win. Nearly every man in those days was willing to back his judgment with his money, and, as may be supposed, the betting was fast and furious. The sporting fraternity quit their poker games, their monte, and their faro to take a hand in the race, and miners came up from their claims to learn more about the animals and wager their dust on the outcome. As the big day drew nearer, the excitement grew higher and the bets larger. Teamsters made their drives so they could attend, and in some cases laid over one or two or even three days rather than miss the fun.

At length the day came and with it the principals and their steeds. Just then the two most important personages in the country were the crooked-neck horse and the side-wheel mule.

The crowd that collected to see the start numbered thousands, and all





along, between Auburn and Sacramento, the road was lined with people as it never was before or since.

It had been arranged that a relay of riders should accompany the racers to see that all the conditions were executed according to the agreement.

Finally, all was ready, the word given, and away they went; not very fast to be sure, but they went.

The horse was quicker in starting and at once took the lead. They passed up through Chinatown, and at the top of the hill the horse was still leading. A rider who left them at the end of the first mile reported that the mule was gradually falling behind. A similar report came from the five-mile stake, and still later a rider came with the news that when the horse reached the ten-mile post the mule was a good mile in the rear.

All day riders came in with news of the progress of the race, and all reports agreed that the horse was getting further and further ahead.

The backers of the mule grew nervous, while those who had their money on the horse became hilarious. When the mule men attempted to console themselves by reminding the horse men that the race was not ended yet, the latter would respond by offering to double their bets at the rate of two to one. A few of the mule's backers tried to save themselves by hedging, but late in the day there was little mule money at any odds.

It was late in the evening when a courier rode into Auburn on a foaming charger and announced that the horse had rounded the plaza in Sacramento and was two miles on the return before he met the mule. The excitement by this time was running high, and the enthusiasm of the horse men knew no bounds.

In the midst of the hurrah it was proposed to hire a band to go out and meet "The Conquering Hero." A stylish group was put together with a clarinet from Auburn, a flute from Newcastle, a violin rounded up from Rich Bar, a drum from Ophir, and rounded off with a fife and bugle of mysterious origin. A six pounder completed the ensemble. The band began to practice in the yard of the Bishop wayside inn where the historic event had been planned. Drinks poured freely and everyone determined to remain up all night to see the end of the conquest and welcome the winner.

Riders were arriving at frequent intervals, and though they reported very slow progress on the part of the racers, all confirmed the horse's lead. The mule men were subdued and blue. One miner who had \$1000 on the "lop-eared brute" as he called him, with an oath or two in front of the title, said he had been afraid all of the time of "that side-wheel leg," and now he was sure it was going to lose his money.

Six-mule teams hauled needed goods to the foothills, stopping briefly at Garrison's Store in Forest Hill for an itinerant photographer.

As the mountain moon left the sky, in those quiet moments just before dawn, a fresh wind brought the sound of a rider and soon the report that the horse was five miles out of town. At once the word was given and in a few minutes the band and the populace started to meet the victor and escort him home in triumph. The procession passed by the Bloomer Ranch, proceeded over Boulder Ridge and down the Long Valley grade. Between the Old Homestead and the Greenwood Toll House they met the horse and his driver. Then a shout went up that reverberated over the hills and awakened the stillness of the dawn for miles around. The old horse had his nose close to the ground and showed signs of great fatigue. He proceeded very slowly and at frequent intervals stopped as though anxious to give up the contest. At such times the driver, who now walked behind, urged him on, often applying the whip as the only means that would induce a forward movement. With the band in the lead and the horse and his proud owner in the middle of the procession, the throng proceeded slowly but joyously back to Auburn. The cocks crowed along the way and then lapsed into silence at the wonderful sound of the band playing "Sweet Betsy from Pike" and stirring renditions of "Camptown Races" punctuated by the echo of the six-pounder reverberating from mountain ridges through river canyons.

The mule and his driver for the time being seemed to be forgotten. There was only one thought and that was that the horse would win. Indeed, he had already won, or as good as won, in the estimation of the crowd, and what did they care for the mule or what became of him? In the midst of the joy one fellow chanced to remark:

"I wonder where the old mule is about now?"

"I don't know," was the response.

"And I don't care," put in another.

"Suppose we send back and find out," said a third.

"What's the use," put in the fourth, "he may be in Sacramento yet."

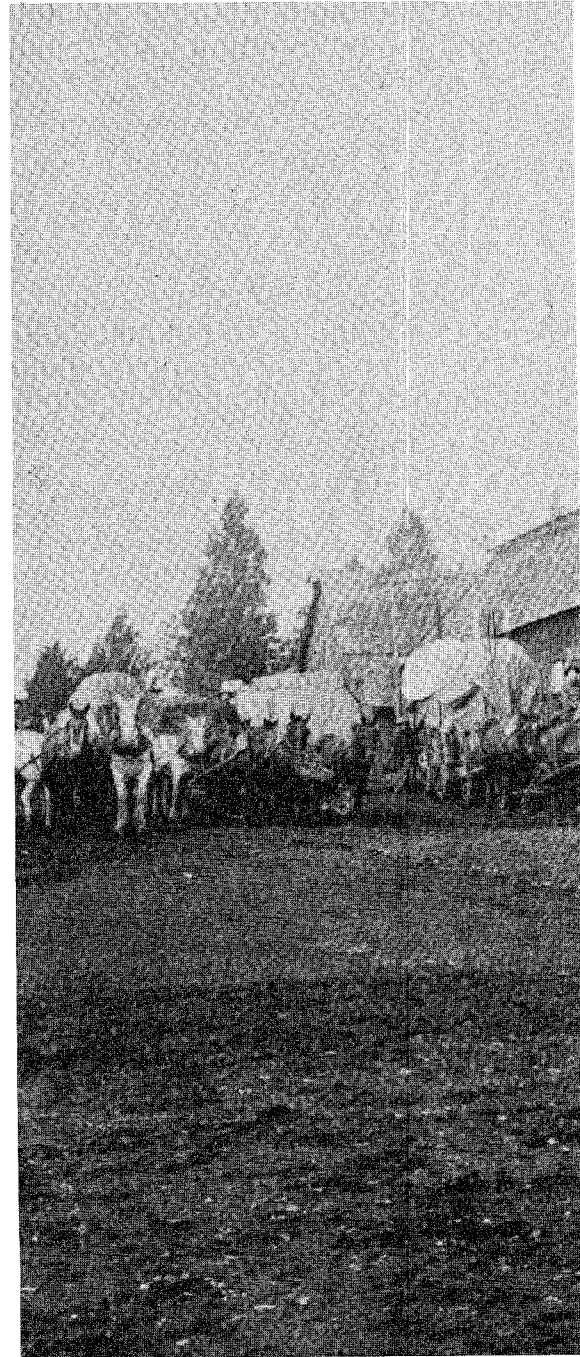
"Yes, or dead and in some other sea-port," laughingly remarked the fifth.

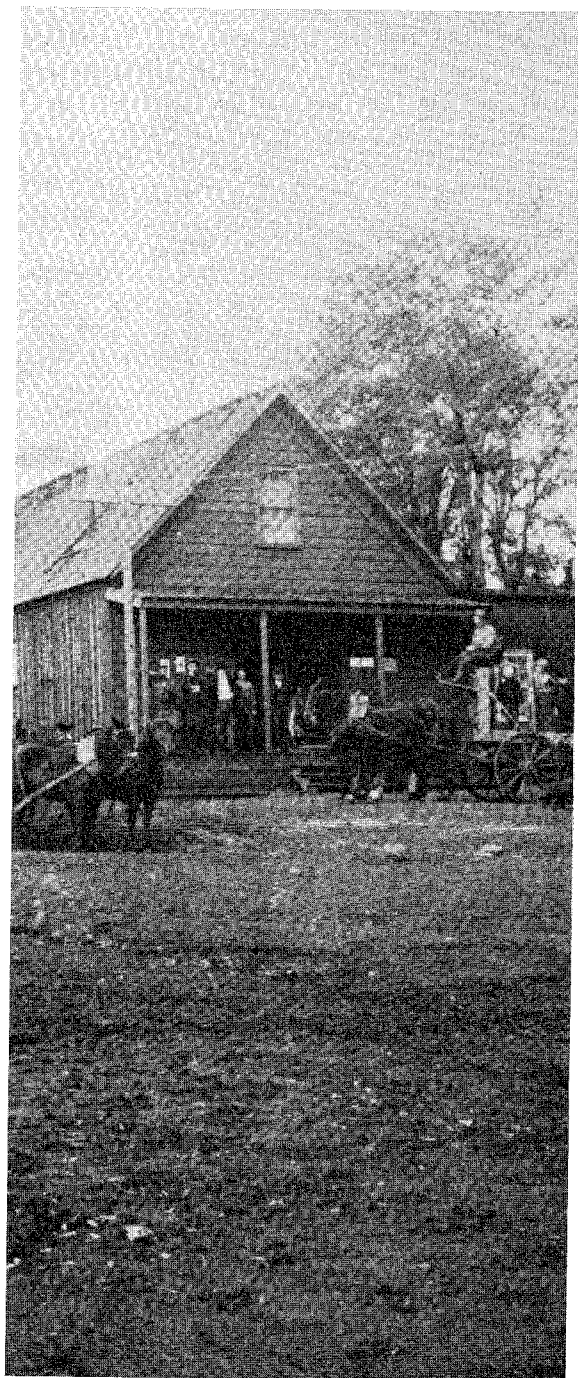
Just at this juncture the procession halted.

"What's the matter?" "What have they stopped for?" And other expressions of anxious inquiry immediately arose from a hundred throats.

They were not long in finding out. The horse had stumbled and fallen down. His driver laid on the whip to induce him to rise, but to no avail. Water was sent for but the beast refused to drink. His nose was sponged out and the dust washed from his eyes, and then as many strong men as could get near, after repeated efforts, succeeded in raising him to his feet.

Slowly they nursed him along, a few steps at a time, with a guard on either





side to keep him from falling, an arrangement vigorously protested by the mule betters to no avail. In this way the disorderly procession had just reached the top of the grade when all at once a wheezing and a shuffling sound came from the rear, and as the sound and the shuffle grew nearer it was discovered, to the horror of the horse men, that they were made by the mule and his driver.

There had been shouts and cheers before, but nothing like those which rose from the few mule backers who were in the crowd as that old mule steadily but surely came up and, throwing a cloud of dust at every step with that side-wheel leg, passed the horse and took the lead in the home-stretch.

Sensing a change of sentiment with yet another and different hero, the band deserted the sagging horse and struck up, from their somewhat limited repertory, "Onward Christian Soldiers" (everybody agreed that it was a rousing good tune) to cheer the mule lest she too sag to the dust before a winner could be declared.

Left behind, the horse betters remained to urge the horse along, still hoping that some adversity to the mule might yet enable them to win.

The news of the change of conditions soon reached Auburn. It seemed at first to the mule men too good to be believed. Everybody was aroused, and those who had not gone with the first crowd now turned out to meet the mule.

The old brute was pretty tired—very tired, indeed—but whack after whack by the driver with a big stick along his ribs kept him moving, and finally, with his game leg scraping the ground and his wheezened breath almost drowning the band and the cheers, he stumbled across the starting line, the winner of the race.

The horse lay down again when about a mile from town. His escort, being unable to get him on his feet, proceeded to Auburn without him.

The mule was put in a comfortable stall and carefully cared for; and the next day, by arrangement of those who had won thousands of dollars on him, he was pensioned on a good pasture for life.

The horse did not rise from the place where his friends had left him. Those who went out to see about his welfare came back with the news that he was dead.

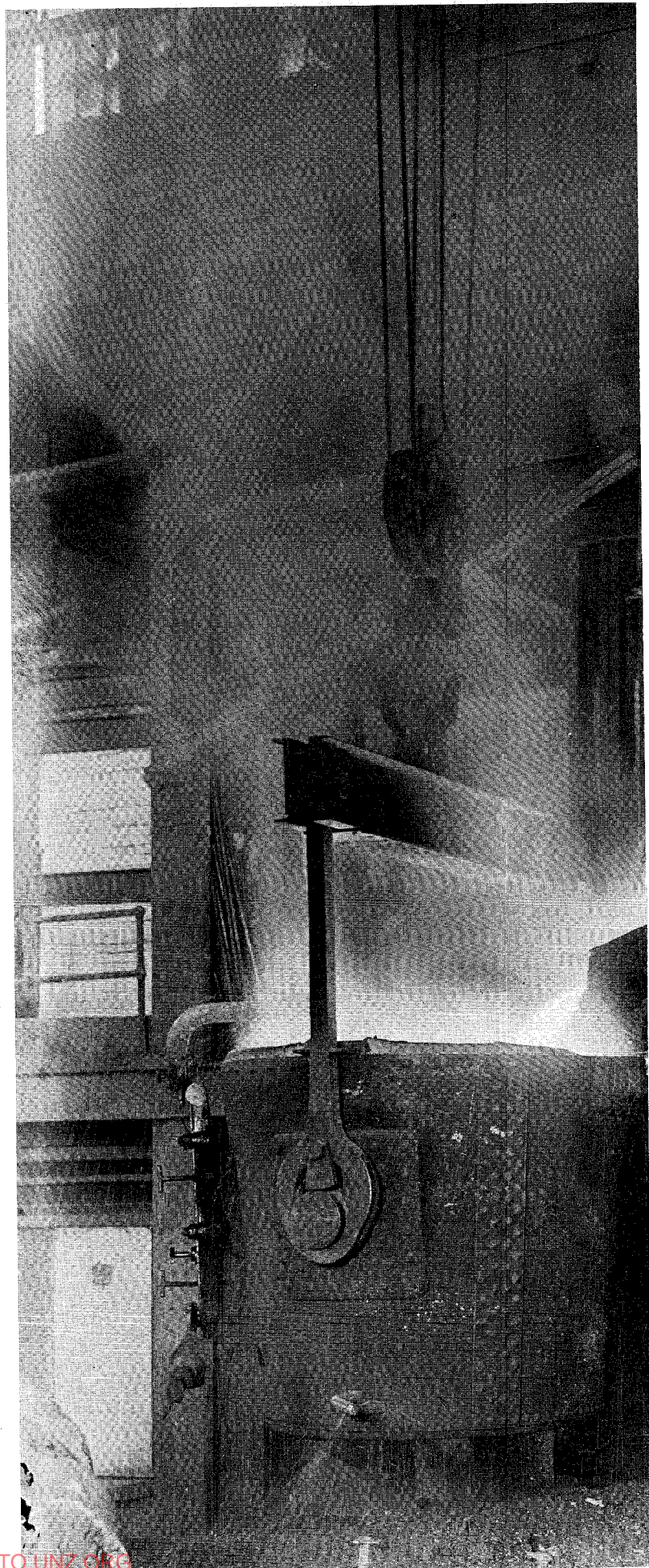
There was talk of taking up a collection to have him "preserved just as in life," but the proposal was not well-regarded by the horse men, and his bones lie in an unmarked wayside grave. □

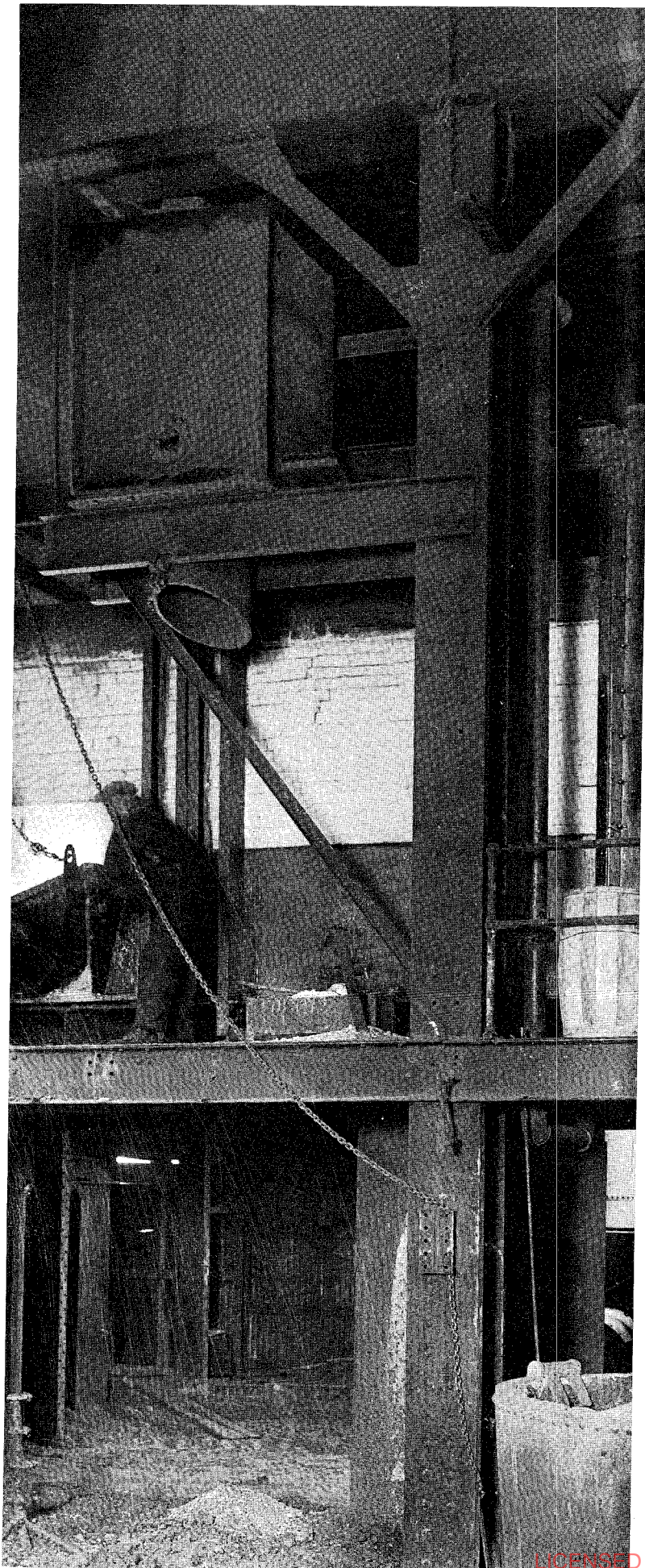
The pen-and-ink sketches were made by Glen Rounds; all other illustrations are from the CHS Library.

Steven C. Levi

the battle for the eight-hour day in san francisco

San Francisco's structural steelworkers went out on strike in 1916 for an eight-hour workday—and the Chamber of Commerce moved to unify the business community against unionism.





One of the most vociferous standoffs between business and labor ever to embroil the city of San Francisco resulted when structural steel workers and the closely related architectural iron workers went out on strike in 1916. Before the conflicts had been resolved, the entire city, including the mayor, the Chamber of Commerce, and the various unions, was involved in what newspapers labeled a “state of war.”¹

Though the structural steel union members may only have numbered around 800, they produced a commodity which was essential to the activities of several thousand other workers—steel for the construction of buildings and bridges. The structural steel workers, as well as the architectural iron workers, were highly skilled craftsmen whose work had been essential to the rebuilding of San Francisco after the earthquake and fire of 1906. Though their numbers declined somewhat after that holocaust, the unions were still large and, unlike other San Francisco unions, relatively free of any association with radical elements.

Events leading to the strike began in April of 1916, when the structural steel workers of the San Francisco Bay Area gave notice to their employers that unless an eight-hour day was implemented they would strike the industry. The laborers set July 10, 1916, as the deadline for the strike, but before that date fifty-four of the sixty-four employing firms in San Francisco readily agreed to adopt the shortened work day. The ten remaining firms—Dyer Brothers, Mortenson Construction Company, Pacific Rolling Mill Company, Ralston Iron Works, Schrader Iron Works, Western Iron Works, Central Iron Works, Vulcan Iron Works, Withington Iron Works, and the Pacific Structural Company—adamantly opposed the change from the nine-hour day. These leaders of the industry even offered to open their

Mr. Levi has degrees in history and teaches in Anchorage, Alaska. He is completing a book on San Francisco's Law and Order Committee.

To maintain the solidarity necessary for a prolonged confrontation, each firm pledged a bond ranging from \$1500 to \$10,000 as a guarantee of cooperation.

books for public scrutiny to show that the proposed change in hours would not be financially feasible.² Producing over 90 percent of the city's structural steel, these ten firms threatened the success of the entire strike.³

Rather than face the unions individually in each factory, the ten agreed to stand together against the unions and the demand for the eight-hour work day. To maintain the solidarity necessary for a prolonged confrontation, each firm pledged a bond ranging from \$1500 to \$10,000 as a guarantee of cooperation. This monolithic confederation, the ten companies believed, could successfully negotiate or lockout the unions.⁴

Certainly the timing of the structural steel strike was inopportune. The year 1916 was economically bleak, and between 1906 and 1916, the average wage in San Francisco had risen only 16 percent while the cost of living had risen 39 percent. (In 1917 it was to rise a staggering 59 percent!) As the economic situation became more and more inflationary, the unions began pressing for higher wages to catch up to the rising cost of living. Consequently, strikes increased in number and stretched in longevity, and violence erupted more frequently. Throughout the United States, as well as in California, the number of strikes in 1916 doubled over that of the previous year.⁵

On July 10, the deadline set by the structural steel workers' unions for the implementation of the eight-hour day, one of the most important meetings in the history of the business community of San Francisco was called. Organized by the San Francisco Chamber of Commerce, the gathering was designed to unify the

businessmen against the growing violence along the waterfront which had been engendered by an International Longshoremen Union strike in progress. San Francisco depended on the waterfront for its incoming goods, but with the longshoremen on strike, ships were left loaded in the docks. Only stevedores with special permits issued by the Riggers' and Stevedores' Union could unload goods, and these goods went only to those businesses known to be friendly to the unions. By July 10, more than thirty strikebreakers and other workers who had attempted to work on the strike-blocked waterfront had been beaten. In addition to the longshoremen's strike, the bay and river steamboat operators were out on strike; the San Francisco culinary workers had threatened a city-wide shut-down; the city's automobile mechanics had not yet settled with their employers; and the structural steel workers' deadline had been ignored, forcing the workers to walk off their jobs that morning. It was a propitious moment for the business community to unify.⁶

Frederick J. Koster, president of the San Francisco Chamber of Commerce, called the meeting of businessmen in order to outline a plan to "control the intolerable situation on the waterfront."⁷ To the enthusiastic and receptive audience, Koster advocated the formation of a special committee to oversee the solution of the maritime-related strikes in San Francisco. Accordingly, the Law and Order Committee—a name nostalgic of the committees of vigilance of more than fifty years past—was formed. Its purpose, as stated by the Chamber of Commerce, was to demand law and order, fulfillment of contracts, and the right of business to employ either union or nonunion labor.⁸

The real issue, only barely hidden in the stated goals, was the open shop. Operating under the assumption that it was unionization which was causing labor unrest, many employers believed that implementation of the open shop would end labor disturbances in San Francisco once and for all and make the city's industries

On July 10, the Chamber of Commerce brought together 2000 "merchants, businessmen and professional men" on the floor of the Merchants Exchange to form the Law and Order Committee. By the end of 1916 the committee commanded a budget of \$1 million.

Battle for Eight-Hour Day

competitive with those of its open shop neighbor, Los Angeles. The business community in San Francisco had heretofore largely tolerated the existence of unions, but it had regularly heaped invectives on most of their activities. In 1916, unionization was still looked upon as something "unnatural," and it was not until World War II that unionization was accepted by employers as a means of collective bargaining. Therefore, when Chamber of Commerce President Koster asked for money to begin the open-shop campaign, chamber businesses quickly pledged \$500,000. By the end of 1916, this amount had swollen to \$1 million.⁹

From the moment that the new Law and Order Committee gained a budget which was independent from that of the Chamber of Commerce, the committee became virtually autonomous, and for the next three years the committee operated as though it were a separate entity from the chamber. After more than fifteen years of watching the unions gain in power and prestige, the committee set out to remobilize the intimidated business community and return labor-management relations to their pre-earthquake status. Unions had grown rapidly after the turn of the century, in part because skilled construction workers were in high demand in the



decade of full construction after the 1906 devastation. Even the corruption and collapse of the Union Labor Party which controlled San Francisco city government could not dislodge the growing unions. Now, the committee determined, was the time to move.

The committee had been active less than two weeks when it received a boost giving it more public support than it ever could have expected. On July 22, during the pre-World War I Preparedness Day Parade, a bomb exploded in San Francisco which killed ten persons and injured more than forty others. Although the unions could not specifically be blamed for the outrage, many assumed that they were responsible. The Law and Order Committee instantly seized on the bombing as yet another example of vicious union tactics, and their apparent wisdom was not lost to San Franciscans when Thomas Mooney and Warren Billings, both labor organizers, were arrested for causing the carnage.

It is doubtful that the unions had any part in the bombings, but the arrest of the union organizers and the tense labor situation in San Francisco immediately preceding the explosion placed the unions under suspicion. Accordingly, the various unions on strike were urged by their leaders to use great caution to avoid any strategy which would draw undue attention to themselves.¹⁰

The Law and Order Committee moved quickly to take advantage of the situation. Declaring the bombing an act of sabotage, President Koster proclaimed that the fight for law and order was not a partisan or businessman's cause, but in the "common interest of every man in San Francisco."¹¹ He also announced that a special Committee of One Hundred would be formed to aid the law-and-order campaign.

The Committee of One Hundred, it soon became clear, was merely a window dressing for the Law and Order Committee. The roster of the One Hundred included the names of some of the most influential men in San Francisco, but they had no say in the policy of the Law and Order Committee. They met once, went on record

supporting the committee, and then disbanded. So endorsed, and backed by a substantial independent treasury, the Law and Order Committee moved quickly amid the public hysteria to take control of the labor-management situation.¹²

In July 25, the ten structural steel firms which had refused to accept the eight-hour day announced that they intended to resume operations immediately with the support of the Law and Order Committee. Through the president of the Building Trades Employers Association, the companies issued the ultimatum that the workers return to the factories by July 28 or the firms would implement the open shop.¹³ Unable to respond within the short time period allowed, the unions saw the ten recalcitrant firms begin operating with scab labor on the old nine-hour day and under the open-shop directive.

The Law and Order Committee had been anticipating just such a testing ground. Earlier in the month it had formed the American Stevedore Company, a clearinghouse for nonunion labor. Although its laborers were unskilled, the committee believed that the instant supply of manpower would tide the troubled businesses over until the strike had been broken. In addition to supplying the ten firms with nonunion labor, the Law and Order Committee also furnished armed guards to patrol the premises of any strike-torn plant. As well, it offered unqualified financial assistance to the companies—one of the greatest assets of an independent treasury. Forming a symbiotic coalition, the steel firms needed the manpower and the financial assistance of the Law and Order Committee, and the committee in turn needed a proving ground to test its strength and tactics before moving to take on the maritime unions that had disrupted the waterfront.¹⁴

Both labor and management believed that they held the upper hand in the situation. The ten iron works attempted to prolong the strike as long as possible in order to bankrupt the unions, and the unions held out in the belief that if the fabricating mills were forced to use unskilled, nonunion labor, the resulting problems would force the firms to give in to the eight-hour day.

The union's reasoning proved to be more accurate. On August 16, the Pacific Rolling Mill Company sent a letter to San Francisco's Mayor James R. Rolph, Jr., about the difficulties it was now facing. Pacific Rolling Mill supported the open shop and the nine-hour day, the letter read, but most of the nonunion labor provided them to achieve the goals of the Law and Order Committee were "unfamiliar with fabrication of structural steel, and while they [were] adapting themselves as rapidly as can be expected, it [was] essential that we proceed with our work in a cautious manner due to the absolute accuracy which is necessary."¹⁵

Suddenly, in mid-August, the monolithic front of the ten holdout firms was broken. Shortly after Pacific sent its letter to the mayor, Vulcan Iron Works bolted and signed with the unions. Three more firms—Central Iron Works, Withington Iron Works, and Pacific Rolling Mill—also capitulated. (One of these three did not finally sign with the unions until a boycott had been declared against it.) Some years later these four firms claimed that they had been forced by the other six companies and by the Law and Order Committee to join the structural steel factories coalition under threats that arrangements had been made with railroads, banks and other companies so that any employer who did not join in the organization [of the ten firms] would find his materials were sidetracked, delayed and missent: banks would call his loans, and he would be driven out of business.¹⁶

Furthermore, the four firms claimed that they had agreed to join the lockout with the understanding that it was only to last thirty days so that the eight-hour day would not appear to be given too readily. They also later

*"Sure, [open shop] tis a shop where
they kape th' dore open t' accomodate
th' constant sthream of min' comin'
th' take jobs cheaper thin th' min
whut 'as th' jobs."*

... Definition of the open shop from
the Anarchist journal, *The Blast*,
September 1, 1916.

contended that the bargaining body of the coalition had "refused to confer at all with the strikers."¹⁷

Although the four dissident firms signed with the unions, the companies' troubles were not yet over. The six remaining firms immediately sued them for the bonds posted earlier as guarantee of solidarity, and the litigation over these bonds continued for years.¹⁸

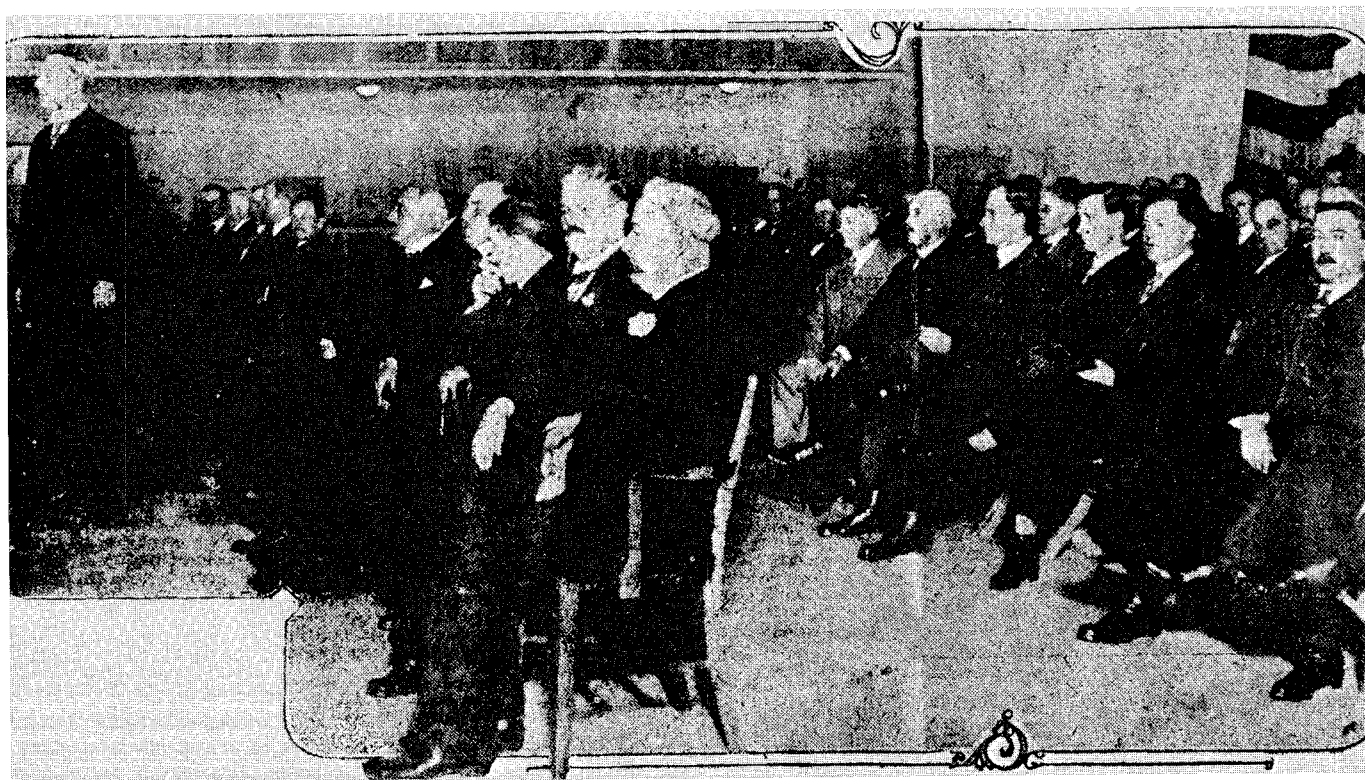
To step up pressure on the remaining recalcitrant steel firms, the unions began a product boycott on October 6, 1916. Backed by the California Building Trades Council, the boycott was calculated to defeat the Law and Order Committee and the structural steel firms at their own game. The circular sent out by the trades council to many structural steel-related industries urged that

union men affiliated with the Building Trades Council of California will refuse to handle or place any materials fabricated by any of the seven unfair firms hereinbefore mentioned, and they will not work on jobs where said nonunion, nine-hour manufacturing is used.¹⁹

(One of the seven firms bolted immediately after the boycott was announced.)

In order to counteract the circular, the Law and Order Committee and the holdout businesses began a publicity campaign of their own. They placed large advertisements in most of the city's newspapers which announced: "There has suddenly arisen a situation in this

The Law and Order Committee capitalized on the Preparedness Day Parade bombing, labeling it another example of vicious union tactics.



city demanding the attention of every thoughtful and patriotic San Franciscan." The advertisements lamented the fact that the unions could not see the position of business and that the unions were compelled to take their "un-American" stand. Furthermore, the text read, the firms were acting within their rights by "exercising the right granted to every American citizen of liberty of action by employing working men without accepting dictation from any source whatsoever as to whom they should employ."²⁰

Predictably, the mayor of San Francisco, James R. Rolph, Jr., became involved in the strike. Since the beginning of the affair, Rolph had maintained a neutral position, and in the midst of the Preparedness Day-bombing hysteria, he was in constant negotiations with

the various striking unions and their respective employers. Working with a cool head, Rolph held several meetings with the structural steel unions and businesses, the most explosive of which occurred on November 10.²¹

After listening to both sides of the eight-hour versus nine-hour day controversy, Rolph suggested a possible compromise. The six remaining companies could try the eight-hour day for "six or nine months," and after that time if the San Francisco steel industry could not compete successfully with other steel fabricating plants elsewhere in the United States, "another conference could be arranged."²²

Four days later the six companies sent an outraged letter to Mayor Rolph, charging that he had "taken an unfair stand" against them by forcing them to do "a thing that

in [their] opinion [would] act as the last straw in the ruination of [their] industry in San Francisco." Furthermore, they claimed with questionable veracity that no other city's structural steel industry operated on an eight-hour day; that San Francisco firms already paid their steel workers a 35 percent higher wage than any other city; that freight rates for raw and fabricated materials favored East Coast companies; and that waste materials could not be disposed of profitably on the West Coast, thereby increasing company operating costs.²³

On November 17, the structural steel unions responded to the letter written by their employers. Answering for the unions, William Michel, secretary of the House-smiths and Architectural Iron Workers Union, Local 78, argued that for the past decade the eight-hour day had been tried in the structural steel industry and proved successful; that East Coast firms paid equal or higher wages than San Francisco firms; that competition with the East Coast producers was minimal, and none had won contracts in San Francisco for years; and that waste scraps from large jobs were routinely used on smaller jobs or sold to other companies.²⁴

Buttressing his case, Michel then quoted the superintendent of the Judson Manufacturing Company of San Francisco, one of the original fifty-four companies to switch to the eight-hour day in July. The official stated that on the eight-hour day, production

will be increased fourteen percent, and that overhead expenses, cost of oil, lighting, etc. will be reduced. The men are far more efficient, more willing, more capable of first-class work under the new system. Directly in charge of the work here as I am, I have been in a position to closely observe the new order, and I can safely make this unqualified statement: A worker can and will do more work in eight hours than in twelve.²⁵

Michel also quoted Mr. Mortenson of the Mortenson Iron Works, one of the recalcitrant firms, who believed that the eight-hour day could be granted because the

impending war would mean increased demands for steel products.²⁶

Despite the conferences, negotiations, and boycott which had been called since the walkout in July, the unions and the six firms had not come to an agreement by late fall. Supported financially and morally by the Law and Order Committee, the firms continued to operate with scab labor. For San Francisco laborers, it must have seemed as though nothing could stop the open-shop juggernaut and the Law and Order Committee. Riding the crest of a wave of popularity unknown since the days of the old Committees of Vigilance, the committee had gained an excellent record of victories in the months since its founding—the longshoremen's strike and the related lumber yard strike had been broken in July; bay and river steamboat workers were back on the job, and the structural steel strike was at a standstill. The Chamber of Commerce capitalized on the committee's popularity with a membership drive that increased its number nearly fivefold, making it the largest Chamber of Commerce in the United States.²⁷ The only important element of the city remaining to be won over, or defeated, was the mayor of San Francisco.

To the Law and Order Committee, Rolph was a question mark. While it could be said that he was not a staunch supporter of the Law and Order Committee, neither could it be said that he was an ally of labor.

When the Law and Order Committee had been formed in July, Rolph had written a personal letter to Chamber President Koster stating that such a grouping was destined for disaster. Furthermore, Rolph urged, the formation of the Law and Order Committee "might be misconstrued by Labor and have a tendency to disturb labor conditions in the city."²⁸ He emphatically stated

In October the Law and Order Committee attempted to turn "Mr. Architect, Mr. Owner and Mr. Citizen" against the Trades Council's boycott of the seven recalcitrant steel firms.

The Law and Order Committee could not have chosen a more questionable representative of "law and order" to head its security force.

that as long as he was mayor, "the Police Department will impartially enforce the law." This was a clear warning to the Chamber of Commerce and the Law and Order Committee to confine their activities to actions within the law. But although Rolph suspected that the Law and Order Committee might become another vigilante group, he did little to oppose it other than to launch an occasional verbal attack. However, when the construction of a tuberculosis wing at the San Francisco hospital on Potrero Street became a pawn between the Law and Order Committee and the striking unions, Rolph moved to resolve the dispute.²⁹

The bid for the construction of the tuberculosis wing had been won by Dyer Brothers, one of the recalcitrant structural steel firms. Work had been begun by disgruntled architectural iron workers who were sympathetic to the structural steel workers' dispute. A confrontation quickly developed when Dyer Brothers neglected to put up planking around the construction site to protect the workmen. Planking was essential to keep falling tools and building materials from injuring workmen on the ground.³⁰

Mayor Rolph, again attempting to be the moderator in the confrontation, scheduled a meeting between the striking architectural iron workers and Dyer Brothers. Negotiations for the meeting were underway when the Law and Order Committee suddenly began pressuring Dyer Brothers to break off negotiations with the unions and to declare the hospital, like its structural steel mill, an open shop. As in the earlier struggle, the committee guaranteed financial support, non-union labor to do the work, and armed guards to protect the scab

laborers and the site. Whether Dyer Brothers wished to comply or not, the firm was helplessly indebted and tied to the committee and had no choice but to acquiesce. If Dyer Brothers had refused, the committee would have withdrawn its strikebreakers and armed guards from the structural steel mill, and Dyer Brothers would have been forced to capitulate to the unions.

As described by the *Labor Clarion*, a local labor publication, the tense situation developed solely as a result of the committee's actions:

It seems that both parties appreciated the merits of the Mayor's position [to act as a mediator] and were about to agree, when that band of buzzards known as the Law and Order Committee of the Chamber of Commerce, creatures without hearts or souls, sympathies or emotions, and moved only by the instincts of gluttonous greed, stepped in and prevented an adjustment, with a desire to inconvenience organized labor.³²

To further complicate the confrontation at the hospital, the Law and Order Committee hired a former police chief, George Wittman, to oversee its armed guards. Not only did Wittman carry the obvious stigma of being a hireling of the committee, but he also bore the albatross of corruption. Wittman had been forced to resign from the police department of San Francisco under charges of graft. The Law and Order Committee could not have chosen a more questionable representative of "law and order" for the head of its security force.³³

Throughout the month of November, the situation at the hospital was increasingly tense. On December 1, the head of the Public Works Department, the city agency responsible for the construction of San Francisco's hospital, ordered all armed guards off the hospital premises. He was backed by Mayor Rolph. When asked how the police should handle the situation if Wittman and his men refused to leave the site, Rolph replied tersely, "Arrest them."³⁴

When the police arrived at the hospital, however, they found that the company's armed guards had moved to

LAW AND ORDER!

To the Citizens of San Francisco:

THERE HAS SUDDENLY ARISEN A SITUATION IN THIS CITY DEMANDING THE ATTENTION OF EVERY THOUGHTFUL, LOYAL AND PATRIOTIC SAN FRANCISCAN.

The Building Trades Council of San Francisco has declared a boycott upon seven structural steel firms, which at this time are exercising the right granted to every American citizen of liberty of action by employing working men without accepting dictation from any source whatsoever as to whom they should employ.

The announcement of the boycott against these firms was made in a circular letter sent by the Building Trades Council to the architects of San Francisco.

This letter is signed by O. A. Tveitmo, Secretary of the Building Trades Council of San Francisco. The letter includes a list of firms classed as "fair" and a list classed as "unfair."

THE LAW AND ORDER COMMITTEE of the SAN FRANCISCO CHAMBER OF COMMERCE does not publish these names here because this Committee will not be a party to the circulation of a boycott. This letter is as follows:

"BUILDING TRADES COUNCIL OF SAN FRANCISCO
"BUILDING TRADES TEMPLE

"San Francisco, Cal., September 28, 1916.

"Please be advised that the following ornamental iron and structural steel firms are employing union mechanics and helpers, and operating their shops on the basis of an eight-hour workday: * * *

"In order that honest and fair dealings may obtain, we beg to inform you that the following seven unfair firms employ non-union workers, and operate their shops on the basis of a nine-hour workday: * * *

"Union men affiliated with the Building Trades Council of San Francisco and the State Building Trades Council of California will refuse to handle or place any material fabricated by any of the seven unfair firms hereinbefore mentioned, and they will not work on jobs where said non-union, nine-hour manufactured material is used.

"Very respectfully, (Signed) O. A. TVEITMO,
"Secretary Building Trades Council of San Francisco."

THIS PLAINLY MEANS THAT THE BUILDING TRADES UNIONS OF THIS CITY AND STATE INTEND, by threat of strike and boycott, to prevent seven business houses of this city from having business intercourse with their fellow-citizens until they agree to conduct their business in accordance with the demands of a powerful combination in the community.

These seven structural steel firms fabricate 90% or more of the structural steel fabricated in San Francisco.

This boycott is directed solely against these San Francisco firms, whereas structural steel fabricated in any other part of the United States, regardless of the conditions under which it is fabricated, under longer hours, lower wages, and non-union conditions, is accepted here with no restrictions whatever.

THE LAW AND ORDER COMMITTEE of the SAN FRANCISCO CHAMBER OF COMMERCE will not now (nor has it at any time in the past) enter into any question of hours and wages between employer and employee. The LAW AND ORDER COMMITTEE stands exactly where it stood when it was organized on July 10, 1916. This Committee was formed to execute the permanent policy of the SAN FRANCISCO CHAMBER OF COMMERCE. That policy demands:

1. *The integrity of contractual relations.*
2. *The maintenance of Law and Order.*
3. *The policy of the Open Shop, insisting upon the right to employ union or non-union workers, in whole or in part, as the parties involved may elect.*

THIS COMMITTEE TAKES THE POSITION THAT THE BOYCOTT IS UNAMERICAN. This Committee concurs thoroughly with the decision of the Federal Anthracite Coal Strike Commission, which, in its report to President Theodore Roosevelt, on the anthracite coal strike, said:

"It (the boycott) is an attempt of many, by concerted action, to work their will upon another who has exercised his legal right to differ with them in opinion and in conduct. It is tyranny, pure and simple, and as such is hateful, no matter whether attempted to be exercised by few or by many, by operators or by workmen, and no society that tolerates or condones it can justly call itself free."

THIS COMMITTEE indorses this further expression in the report of the Anthracite Coal Strike Commission:

"The right thus to work can not be made to depend upon the approval or disapproval of the personal character and conduct of those who claim to exercise this right. If this were otherwise, then those who remain at work might, if they were in the majority, have both the right and power to prevent others, who choose to cease to work, from so doing.

"This all seems too plain for argument. Common sense and common law alike denounce the conduct of those who interfere with this fundamental right of the citizen. The assertion of the right seems trite and commonplace, but that land is blessed where the maxims of liberty are commonplace."

IN CONNECTION WITH THE RIGHT TO WORK, this Committee further indorses the judgment rendered by the Honorable Joseph Fitch of New York, who, on September 21st of this year, in sentencing a defendant arrested during the car strike cases, said:

"The laws of this country are very severe against capitalists who combine to raise the price of products or anything of that kind. The laboring man can still combine, if he wants, with his fellows, to strike or quit work. That is a necessary instrument for his protection in his hands. But if there are a thousand car conductors in Queens County and nine hundred and ninety-nine of them decide to go on a strike, and there is one man of them that wants to work, and who declares to go on strike with the nine hundred and ninety-nine, I hold, and if I were Mayor of New York I should hold, if it brought down the City Hall upon my head, that the whole force of the police of the entire City of New York, if it were necessary, should protect that one man against the nine hundred and ninety-nine, and he should drive a car if he were the only man in Queens that wanted to do it and his Company were willing to employ him. Now, that would be my attitude, because that is the old American idea of freedom, and we are getting pretty far away from it now in many respects."

But, in face of these expressions of broad Americanism from sources of integrity and soundness, the community of San Francisco is confronted with this boycott.

MR. ARCHITECT, what are YOU going to do about this boycott?

MR. OWNER, what are YOU going to do about this boycott?

MR. CITIZEN, what are YOU going to do about this boycott?

THE LAW AND ORDER COMMITTEE
Of the San Francisco Chamber of Commerce

an adjacent street so as to avoid being arrested. But the move defeated the guards' purpose, and the strikebreakers became concerned for their safety and promptly "quit their jobs and disappeared."³⁵

Issued an ultimatum, Dyer Brothers was then given three days to complete the job. This was a physical impossibility, and Rolph then canceled the contract and ordered the Board of Public Works to finish the building. Speaking for the city and county of San Francisco, Rolph unequivocally stated:

I am through with whimsical and technical quibblings over this hospital job, and it will be finished by the city itself and cost deducted from the money covered by the Dyer Brothers' contract. The Law and Order Committee of the Chamber of Commerce is financing Dyer Brothers as a part of the open-shop campaign, but they shall not be permitted to bring suffering and death upon helpless human beings in order to satisfy their vicious desires.³⁶

With the entry into the dispute of the mayor of San Francisco and the full weight of the city's administration behind him, the Law and Order Committee was forced to admit defeat in the architectural iron workers' strike. Even with a sympathetic public and a large budget behind it, the Law and Order Committee could not fight the power of city hall. With the collapse of the attempt to break the strike, it became apparent that the committee's role in the structural steel confrontation was doomed as well. When the committee withdrew its support from the six remaining holdouts, the companies went down to quick defeat. Within a month and by the end of January, 1917, all six signed with the San Francisco Building Trades Council for an eight-hour day.³⁷

The Law and Order Committee had reached its zenith in the closing months of 1916. Although it was to remain an active force for another two years, its nefarious activities, coupled with the increased power of the unions, doomed it to failure. Perhaps one of the most terrifying aspects of the committee was that it believed that it truly represented the business community. Though in July

of 1916 this may have been valid, by December of 1916 the committee had begun to alienate much of its public support.

An incident characterizing the committee's over-extension of its power was the trial of William McDevitt. McDevitt, a socialist, had been granted a seat on the city board of election commissioners. When McDevitt made an intemperate speech several days before the Preparedness Day bombing in July of 1916, the committee pressed for his removal from office in a *legal* proceeding conducted before the mayor of San Francisco. Many historians have commented on the indiscretion of this action.

Similarly, as the Mooney-Billings bombing affair of July, 1916, began to appear more and more as a frame-up, the Law and Order Committee increased its efforts to prop up the district attorney's case. This enhanced the public's belief that the Law and Order Committee and the district attorney were so inextricably tied that malfeasance on the part of one implicated the other. Accordingly, when it became obvious that the district attorney had conducted the Mooney-Billings trial in a somewhat less than legal manner, the Law and Order Committee was forced to abandon the fight for the open shop in order to try to save its reputation from defilement. When it became apparent that the Law and Order Committee might be charged with legal indiscretions, Chamber of Commerce President Koster was conveniently "out of town" when the chamber formally dissolved the Law and Order Committee in August of 1919. Had the committee maintained a more restrained attitude in dealing with labor-management crises in 1916, particularly in the open-shop and eight-hour day campaign of 1916, it might well have changed the course of San Francisco's—and California's—history.

The foundry photograph is from the CHS Library. The boycott advertisement is from *The Argonaut*, October 14, 1916. The other items are reproduced from the San Francisco Chamber of Commerce's *Law and Order in San Francisco, A Beginning* (1916).

Notes

1. "Legal Forces of City Called Out for Mayor's War," *San Francisco Chronicle*, November 29, 1916, p. 5.
2. San Francisco Chamber of Commerce, *Law and Order in San Francisco: A Beginning* (San Francisco: Rincon Press, 1916), p. 34. There does not appear to be any accurate account as to how many workers were involved in the structural steel strike, but an authoritative guess is possible by consulting Robert Edward Lee Knight's *Industrial Relations in the San Francisco Bay Area, 1900-1918* (Berkeley: University of California Press, 1960).
3. Knight, *Industrial Relations*, 320.
4. Knight, *Industrial Relations*, 321.
5. Knight, *Industrial Relations*, 299; Ira B. Cross, *Transactions of the Commonwealth Club of California* (San Francisco, 1917), pp. 495-6, 518, 520.
6. Knight, *Industrial Relations*, 304-06; Chamber of Commerce, *Law and Order*, 1-14; Steven C. Levi, "San Francisco's Law and Order Committee, 1916," *Journal of the West*, January, 1973.
7. Knight, *Industrial Relations*, 304-06; "Water Front Situation," *Labor Clarion*, July 4, 1916, p. 1; Chamber of Commerce to Rolph, July 10, 1916, Rolph Papers in the possession of the California Historical Society Library, San Francisco.
8. "President Koster Outlines Purpose of Mass Meeting," *San Francisco Chronicle*, July 11, 1916, p. 2; Chamber of Commerce, *Law and Order*, p. 5.
9. Chamber of Commerce, *Law and Order*, 19.
10. "Lumbermen Vote to Return to Work Today on Old Scale," *San Francisco Chronicle*, July 25, 1916, p. 10. The best sources on the bombing and its aftermath are Curt Gentry, *Frame-Up: The Incredible Story of Tom Mooney and Warren Billings* (New York: W. W. Norton & Company, 1967); Richard H. Frost, *The Mooney Case* (Stanford: Stanford University Press, 1968); and Ernest Jerome Hopkins, *What Happened in the Mooney Case* (New York: Brewer, Warren & Putnam, 1932).
11. Edward H. Hurlbut, "Mass Meeting Held," *San Francisco Call and Post*, July 27, 1916, p. 1.
12. Chamber of Commerce, p. 38; "Plan Big Campaign to Enforce the Law," *San Francisco Chronicle*, July 28, 1916, p. 1; "Chamber of Commerce Law and Order Committee Gets to Work," *San Francisco Chronicle*, July 25, 1916, p. 1.
13. Knight, *Industrial Relations*, 321.
14. Knight, *Industrial Relations*, 320.
15. Pacific Rolling Mill to Mayor James R. Rolph, August 16, 1916, Rolph Papers.
16. "Suit Bares Rift in Iron Trades Organization," *San Francisco Chronicle*, July 1, 1920, p. 17.
17. *Ibid.*
18. *Ibid.*
19. Argonaut, *San Francisco Chronicle*, *San Francisco Bulletin*, and *San Francisco Call and Post*, October 6, 1916.
20. *Ibid.*
21. Dyer Brothers, Mortenson Construction Company, Pacific Rolling Mill Company, Ralston Iron Works, Schrader Iron Works and Western Iron Works to Rolph, Rolph Papers, November 14, 1916; William Michel to Rolph, November 17, 1916.
22. Dyer Brothers, *et al.* to Rolph, November 14, 1916, p. 2.
23. *Ibid.*
24. Michel to Rolph, November 17, 1916, pp. 1-6.
25. *Ibid.*
26. *Ibid.*
27. Chamber of Commerce, *Law and Order*, 37; "'Open Shop' is the Slogan of Businessmen," *San Francisco Chronicle*, August 29, 1916, p. 3; "Chamber of Commerce Campaign Closes with 7282 Members," *San Francisco Chronicle*, September 2, 1916, p. 8.
28. Rolph to Frederick J. Koster, July 10, 1916, Rolph Papers.
29. *Ibid.*
30. "Buzzards of Our City," *Labor Clarion*, December 8, 1916, p. 1.
31. *Ibid.*
32. *Ibid.*
33. "Mayor Rolph Acts," *Labor Clarion*, December 1, 1916, p. 6.
34. *Ibid.*
35. *Ibid.*
36. "Buzzards of Our City," *Labor Clarion*, December 8, 1916, p. 1.
37. Knight, *Industrial Relations*, 322.

MIRACLES FOR A DIME



from Chautauqua tent to radio station with

SISTER AIMEE

For a tourist visiting Los Angeles in the 1920's or 1930's, the typical agenda of sightseeing "musts" would have included Catalina Island, the Ostrich Farm, Hollywood (in hopes of seeing a star), and Evangelist Aimee Semple McPherson at her 5,000-seat-capacity Angelus Foursquare Temple. At the church, visitors might have been startled to see the lady minister, onstage astride a motorcycle and wearing a traffic policeman's uniform, jump off the cycle and shout, "Stop in the name of the Lord!" This kind of performance led some of her fellow ministers to denounce the Angelus services as "supernatural whoopee" and "a sensuous debauch served up in the name of religion." But most of those who visited the church agreed with *Harper's Magazine* in 1927 that Sister Aimee provided "the best show in town."

Aimee Semple McPherson arrived in Los Angeles in 1921 on a cross-country tent revival tour. Her battered old car carried the message "Jesus Is Coming—Get Ready" painted on its side. She later related that divine instruction had guided her to the future site of Angelus Temple next to Echo Park. The location was a good one, at the point where the electric streetcar lines crossed in the fastest-developing section of the city. The Lord apparently had a firm grasp of promotional possibilities.

By 1923, the Angelus Foursquare Temple had been constructed at a cost of \$1.5 million, financed with contributions raised through revival crusades. By that time Aimee claimed over 50,000 followers, and her band, in which Anthony Quinn played the trumpet, was bigger than John Philip Sousa's. After Aimee's death in 1944, the work of her organization was continued by her son Rolf. Today it has 250,000 members and 500 branch churches.

Aimee drew a following through her remarkable

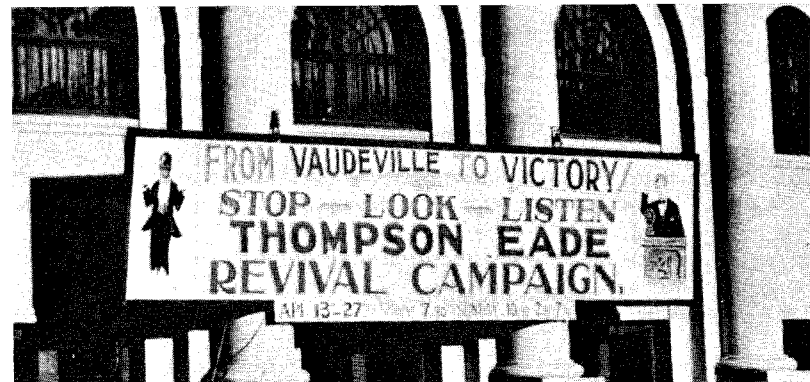
David Clark teaches at California State University, Los Angeles, and at the University of California, Los Angeles, Extension. He created the permanent exhibition, "Man Made Los Angeles," for the CHS History Center in Los Angeles and wrote the historical guidebook, *L.A. on Foot*.

religious services, which she called "Illustrated Sermons." They were conducted on a giant stage which included a proscenium arch that had been constructed on Charlie Chaplin's advice. The services employed a painted backdrop similar to those used in the movies and elaborate props and costumes rented from Western Costume, the principal Hollywood studio supplier. The themes of the sermons were chosen for a simple message that could be presented in a highly dramatic manner. A typical sermon featured the fiery destruction of the world, with the righteous escaping the flames on a cross-shaped bridge to Heaven, all of which was painted on the backdrop. One service had as its theme "The Lone Ranger Unmasked" and compared Jesus Christ to the Lone Ranger. Other themes included the destruction of Sodom and Gomorrah, Samson pulling down the temple, the eruption of Mt. Vesuvius, Aimee's conversion of a band of gypsies living near Los Angeles, and George Washington at Valley Forge. In the latter performance, Aimee wore a copy of the general's uniform and reviewed the colonial troops while snow fell on the stage.

For twenty years Aimee was assisted in these productions by her stage manager, Thompson Eade. Eade had been a performer in vaudeville. During World War I he suffered shell shock. In a recent interview Eade related that in 1924 he had been miraculously cured at Angelus Temple and then enrolled in the temple's Bible College. When Sister learned of his vaudeville background she pulled him out of class and into the service of the Lord as her stage manager and set designer.

Eade also helped her organize and produce programs on radio station KFSG, which Aimee founded as the first religious radio station in the United States. KFSG was the third radio station established in Los Angeles, and Aimee was the first woman to hold a Federal Communications Commission broadcaster's license.

One of the important features of Sister Aimee's career is that she bridged the gap between two historic styles



(Top) The country preacher with her following on a cross-country revival tour c. 1920.

Aimee enlisted the aid of Thompson Eade, a former vaudeville performer, to help expand the ranks of her listeners. Eade and Aimee (left) broadcast on KFSG in 1925, and Eade's conversion story was the basis of a revival campaign (above) at the Angelus Temple.

of religious dramatization. Her early years of cross-country revival crusades were in the tradition of the Chautauqua Tent meeting, used by speakers such as populist and evangelist William Jennings Bryan. During that period Aimee's dress and hair style were plain, and the stage and equipment were sparse. The dramatic impact of the service came from the preaching alone. After settling in Los Angeles, Aimee pioneered the move of charismatic, revivalistic religion from the tent to the radio station. The range of visual imagery developed at the Angelus Temple by Aimee and Eade brought to evangelism the sophistication and techniques used in television crusades today.

Why did this development take place in Los Angeles? Part of the answer is immediately apparent: Los Angeles was the capital of the entertainment industry. From 1920 to 1940, movie production was the city's largest industry, followed by real estate, oil, and oranges. Hollywood's influence was apparent in the Angelus stage sets, and in the changes in Sister Aimee's personal appearance from that of country preacher to modern woman with dyed and bobbed hair and stylish clothes, despite the outcry of those who considered make-up a sure sign of moral decay.

More important than the example of Hollywood glamour was the challenge that the new forms of entertainment, the radio and movies, brought to religious influence and activities. Religion had formerly provided the most dramatic element in the lives of many Americans, especially in the Middle West which sent a half-million immigrants to Los Angeles in the 1920's and 1930's. The new movies and radio shows, it was apparent, could replace church activities as a source of drama, excitement and relief from the tedium of work.

When midwestern immigrants arrived in Los Angeles, their active participation in organized religion usually declined, and rates of Protestant church attendance in the city dropped steadily. The traditional threats of hellfire were not as successful in a balmy climate blessed with Mary Pickford and Faye Wray. Sister Aimee could compete with them, however, by putting on a show better than those at Grauman's Chinese or the Pantages Theater. In the process she paid little attention to doctrinal distinctions, because, as she declared, in Los Angeles "doctrinal differences had gotten the eyes of many off the Lord" and into "quibbles and hairsplitting." Aimee's positive-thinking approach is best illustrated by her shift of attention away from hell and retribution:

Who cares about old Hell, friends? Why, we all know what Hell is. We've heard about it all our lives. A terrible place, where nobody wants to go. I think the less we hear about Hell the better, don't you? Let's forget about Hell. Lift up your hearts. What *we* are interested in, yes Lord, is *Heaven* and how to get *there*!

Aimee's audience *had* heard about hell all of their lives, and they were tired of it. Calvin must have turned over in his grave.

Many of the Protestant clergy in Los Angeles resented Sister Aimee's success at winning away their parishioners with showy sermons. When Aimee conducted a crusade in London, a delegation of Los Angeles ministers tried to persuade the British government to ban her from the country, warning of "her tendency to cause insanity in her audiences." Aimee's greatest enemy was Reverend Bob Shuler of Trinity Methodist Church. "Fighting Bob" ran unsuccessfully for the United States Senate in 1932 as a Prohibitionist, and he put a curse on the state of California after it failed to elect him. (His curse was sometimes credited with causing the 1933 Long Beach earthquake.) Shuler had a radio station second in the size of its listening audience only to Aimee's, and he used his station to denounce the personal lives of all

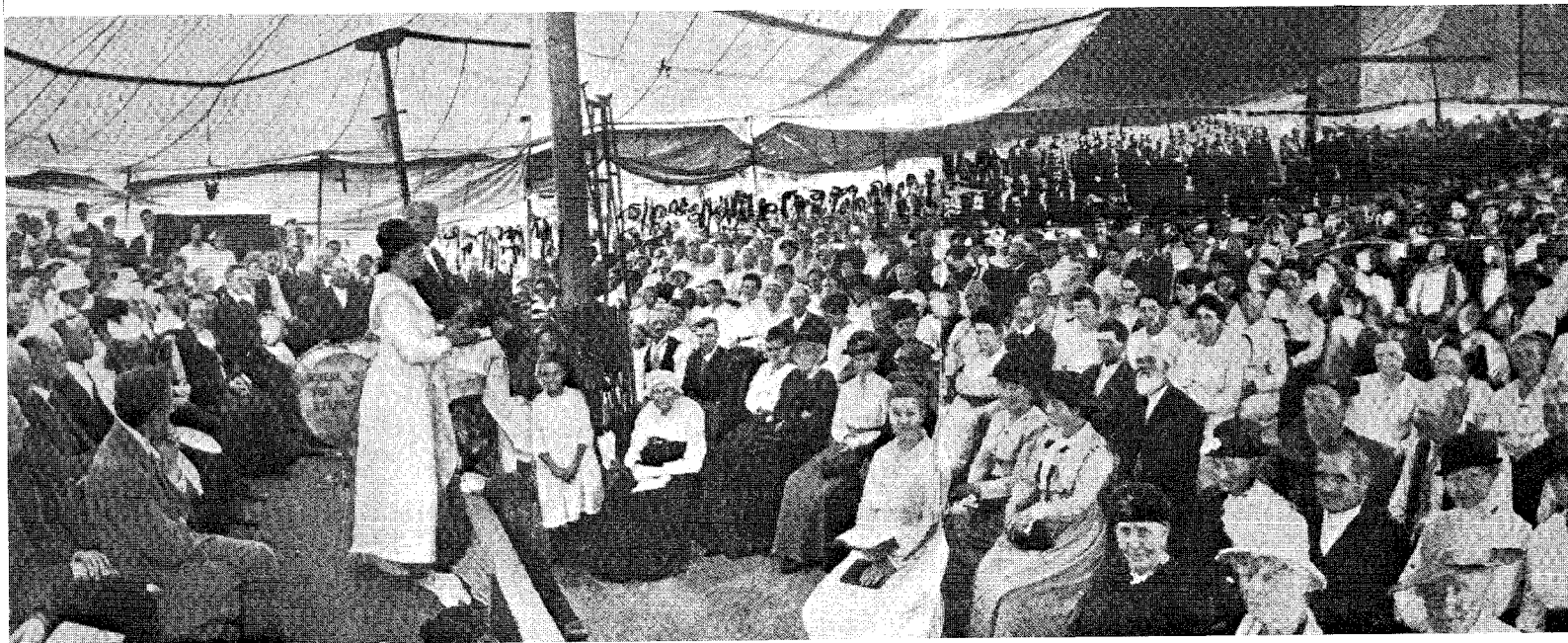
those who offended him. He supported the Ku Klux Klan, and during Al Smith's 1928 campaign for president, Shuler accused Catholics of planning to murder Protestants in their beds, employing a fourteenth-century document as his source of information. To those who object to Sister Aimee's influence on religion, one can only compare her to the Prohibition era's conception of the Lord as the Celestial Cop of the Anti-Saloon League.

The best opportunity for Sister Aimee's detractors to force her from the pulpit came with her mysterious disappearance from Ocean Park beach in May, 1926. Six weeks passed without any word of her. Los Angeles was in an uproar, and thousands held prayer vigils at the beach to no avail. Then Aimee suddenly appeared at Agua Prieta in the Arizona desert. She had been kidnapped, she related, by two desperados named Jake and Mexicali Rose. When they passed-out from drinking mescal, she managed to cut her bonds, break a window,

and run across the desert for several days until she reached help.

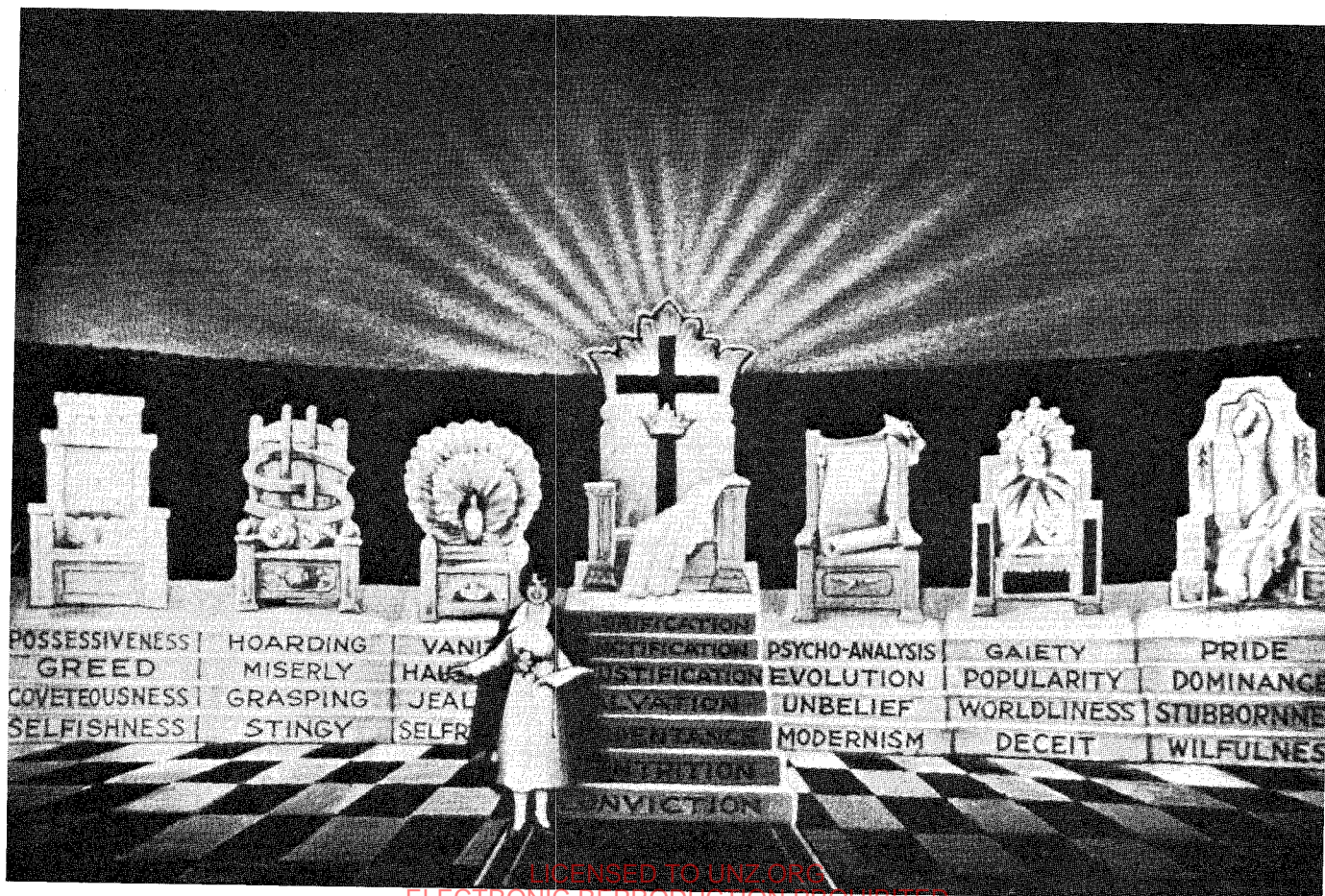
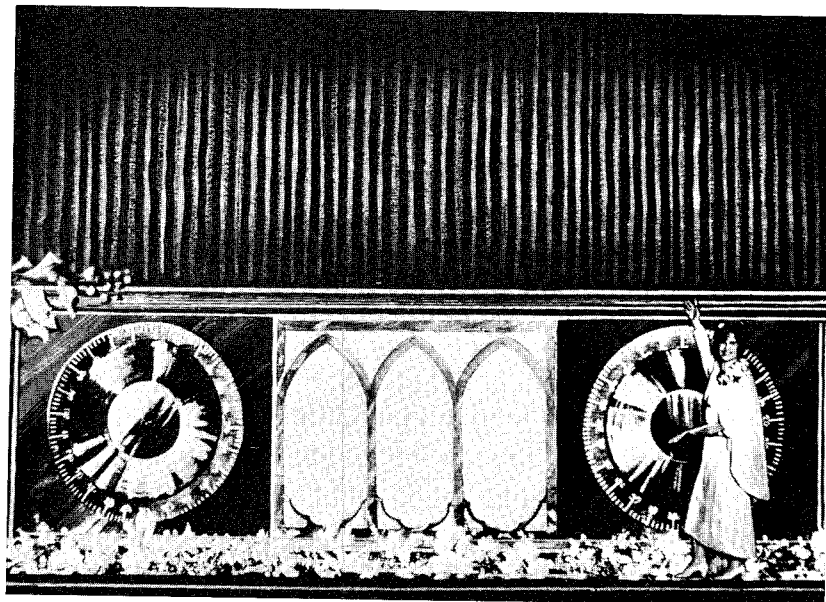
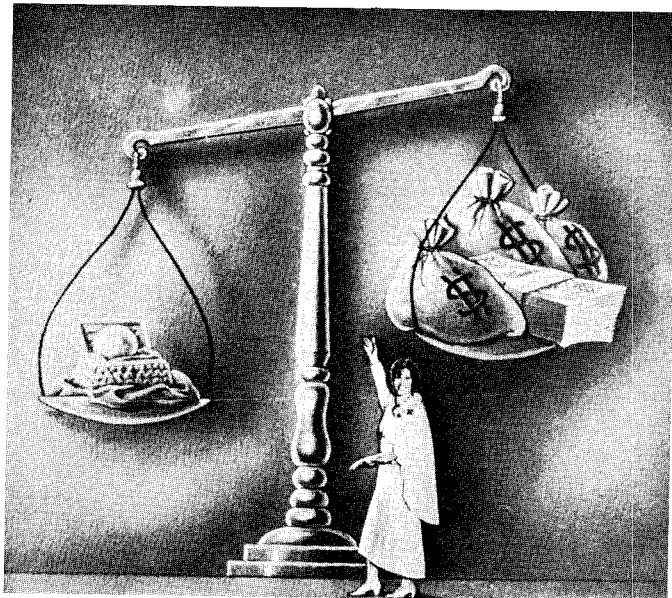
Upon her return to Los Angeles, Sister received the largest welcome ever before given to a public figure by the city. Between 50,000 and 100,000 people gathered to greet her, including the mayor, city council members, and the fire department, which she had recently "converted." Soon, however, disrespectful reporters suggested that her shoes were unscuffed and her skin unburned, rather unusual in view of the desperate desert chase. Rumors surfaced of a "love nest" in Carmel shared with the temple's handsome radio operator, and a San Diego newspaper published a front-page column on "the troubles caused in the world by the failure of women, especially red-heads, to keep their legs together."

For the next several years Los Angeles' blue-nosed brigade dragged Aimee into court with one charge after another related to the incident and accused her of having perpetrated a public hoax with her kidnapping story.



"From Chautauqua tent to illustrated sermon." (Above) In 1920, Aimee addressed outdoor tent meetings such as this revival session in Los Angeles.

By the late 1920's Angelus Temple had been built, and Aimee worked with elaborate painted backdrops which illustrated the weekly sermons. Themes included (left) the pearl of great price weighed against worldly wealth; (right) station KFSG and all-day religion; and (below) the seven thrones.



During the 1920's Aimee moved revivalistic, charismatic religion from the simple tent meeting to the complex use of radio, publicity, and visual imagery. (Right) An unadorned Aimee on a revival crusade c. 1920. (Page 361) Aimee broadcasting a service on radio station KFSG c. 1925.

But Aimee used her flamboyant style to make fools of her critics, and as author Morrow Mayo said, she answered every attack with a kick in the pants. What did it matter that her shoes were not scuffed and her skin not burned after a rigorous desert ordeal? Had not Shadrack, Meshack, and Abednego gone through the fiery furnace without harm? Aimee appeared in court wearing an "Admiral-General" uniform, organized a "Fight the Devil Fund" for her legal defense, and orchestrated temple services in which red devils with horns and tails arose out of a boiling cauldron, only to be chased back by Aimee wielding a pitchfork. When local ministers published a petition against her and signed their names with the initials of their various degrees, Aimee granted herself a degree with the initials A.B.C.D.E.F.G.

The full story of the kidnapping incident was never known. More recently, Milton Berle in his autobiography has claimed to have had an affair with the evangelist, although the combination of Uncle Miltie and Sister Aimee seems wildly improbable. These miscellaneous allegations, completely unproven, have been the focus of most writing about her from 1926 to the present day.

Sister Aimee grated on the nerves of those who wished to promote Los Angeles as the world's "New Athens" and specifically to remove any potential embarrassments before foreign guests and reporters began arriving for the 1932 Olympics. To display local cultural attainments, for example, city boosters had organized a painting competition. After the awards were given out, close inspection of the first prize entry revealed that its subject was not a traditional figure of Greek mythology, but rather Sister Aimee sitting in a cloud above Angelus Temple. The work was hastily removed as "detrimental to the city's dignity."

City fathers had legitimate cause for concern. Los



Angeles had gained a reputation as "one hundred mid-western towns laid end-to-end." H. L. Mencken referred to it as "double Dubuque," and others said it contained "more sanctified cranks per acre than any other town in America." The charges, in fact, were partly true. If Chicago was the Hog Butcher of the nation, Los Angeles was its Faith Healer, the City of the Second Chance, the place where those who were dissatisfied with their lot came to look for a better life.

The eccentric religious behavior of Los Angeles was well known. When a survey of churches was taken in the 1930's, almost all of those in San Francisco were listed as either Protestant or Catholic. In Los Angeles, 147 of the churches were Catholic, 836 were Protestant and 850 were recorded as "other." Many in the last category centered their activities around faith-healing, a trend created by the large numbers of people who had moved to Southern California to improve their health. One-fourth of those who established homes in the region in the early part of the century came for reasons of health or to accompany an ailing relative. Many of



today's old-timers moved to Los Angeles decades ago when the doctors told them they had only six months to live. The medical science of the time prescribed a move to a sunny, dry climate for many ailments, especially respiratory disorders, for which there were no real cures. Southern California's medical "climatologists" mapped out the areas which were best for emphysema, for pleurisy, and so forth. Los Angeles acquired a reputation as the "One-Lunged Tourist Town," and young girls complained in their diaries of being unable to find a suitor who was all of one piece. It was only natural that many of these health-seekers, whom science could offer no remedy, should turn to faith-healing. Aimee once declared at a meeting in Los Angeles that everyone in the audience knew someone who had gone through a "healing," and she was probably right.

Urban dislocation also led many to seek the community feeling that a religious movement could provide. With Los Angeles' population increasing twenty-five times between 1890 and 1930, avalanches of migration had buried all possibility of community cohesion. New-

comers could not be assimilated into the majority, for they were the majority. Only one-fourth of Los Angeles' population had been born in California. The city's high suicide and divorce rates were almost a commonplace.

Los Angeles was filled with people who had arrived in pursuit of their hopes and dreams—better health, renewed youth, a career as a movie star, escape from small-town social restrictions, enjoyment of the good life. But when expectations are high, disappointments can be severe. Those whose dreams failed might turn to suicide, or to religious or political commitments that satisfied their emotional needs. Thus Los Angeles was the birthplace of the Townsend Plan, Thirty Dollars Every Thursday, and innumerable other schemes to bring about a better world through economic plans that owed more to Houdini than to either Adam Smith or Karl Marx. Those in search of community feeling could also turn to the full social life and twenty-eight weekly services offered by Angelus Temple.

Nathanael West, describing in *Day of the Locust* the migrants who arrived in Los Angeles after "a lifetime of



Aimee baptising followers by immersion.

In the 1930's, Aimee's commissary provided 1,500,000 free meals to the indigent—without the customary ear-banging.



*Aimee looking stylishly angelic
in the late 1920's.*

dull heavy labor,” said sympathetically that it was “hard to laugh at the need for beauty and romance.” Those urges nevertheless produced humorous sidelights, at least to the non-believers. The first renowned woman evangelist of the region, Katherine Tingley, also known as the Purple Mother, the Veiled Mahatma, and the Light of the Ledge, had among her church membership a dog whom she believed to be the reincarnation of one of her former husbands. Her movement collapsed when she had an affair with a married member of the group. Edgar Holloway claimed to be the last survivor of the Lost Continent of Mu, and he sold real estate lots on it prior to its scheduled rise from the sea. Sister Aimee, whose business judgment was notoriously bad, became involved in several ill-fated projects, including the sale of cemetery plots next to her own future burial place. The plots were promoted with the slogan, “Go Up With Aimee.”

Sister’s antics and sermons always provided a good show, but she also performed major relief work during the Depression, an aspect of her career that has received virtually no attention. In the 1930’s her commissary provided 1,500,000 free meals to the indigent, as well as clothing, shelter, and medical care. Angelus Temple gave immediate assistance to people in need, without eligibility or residence requirements, and the police department regularly referred the destitute to her care. Sister also refrained from the common skid-row practice of “ear-banging,” or requiring that the hungry listen to a sermon before being fed a meal. At Angelus Temple those who received help did not have to promise anything or believe in anything.

Today, Los Angeles no longer bears the title of the Capital of Eccentricity. Migration rates have slowed. An increasing percentage of Angelenos were born in the area, consider palm trees and sunshine in December natural, and do not long for a white Christmas that they have never known. Yet it is unclear whether “L.A.” has become more like the rest of the world, or if the rest of



the world has changed to resemble Los Angeles, now that Hare Krishna devotees accost passengers in the Paris subway, and street corner evangelists operate without noticeable geographical variation.

Today’s religious revivalists make full use of the electronic media. Many such as Garner Ted Armstrong in Pasadena (before his recent expulsion) have facilities as advanced as those belonging to network television. Aimee pioneered the use of modern methods of communication for religious purposes. For over twenty years Sister Aimee also gave entertainment and assistance to many and provided a feminine symbol of daring and “chutzpah” appropriate to Los Angeles.

The photographs of Eade, the Eade marquee, and the illustrated sermon backdrops are courtesy Thompson Eade. The other photos are courtesy Angelus Temple, International Church of the Foursquare Gospel, Los Angeles.

Power and Priorities:

Church=State Boundary Disputes in Spanish California

Few will dispute historian Lewis Hanke's observation that "no European nation . . . took her Christian duty toward native peoples so seriously as did Spain."¹ Despite this national commitment, however, Spanish colonial officials of Church and State found it difficult to agree as to how this broad consensus would be translated into policy on the local level. This was especially apparent in Spain's frontier territories where the guiding beacon of statutory orthodoxy was eclipsed by distance and compromised by the pragmatic considerations of the business of empire. Thus arose the classic blanket rejoinder of the theoretically culpable but nevertheless autonomous secular official, "Obedezco pero no cumpro" ("I obey but I do not comply"). The immunity effectively built into these local decisions frequently came at the expense of the missionary orders, particularly in the more remote areas of the sprawling American empire. Despite the central role played by the aspiring missionary church in the course of empire in the sixteenth century, the institution increasingly became a perennial thorn in the side of a resource- and revenue-hungry colonial government.

By the waning years of the colonial era, the vulnerable and impoverished Spanish empire could no longer afford the luxury of an ecclesiastical establishment which clung to the anachronistic mandate of paternalistic stewardship that it had secured nearly three centuries earlier. Monumental in their achievements under conditions which stretched the limits of human endurance, the missionary orders proved equally tenacious in their resistance to any perceived incursion into their hegemony. Although the nature of colonial society had undergone massive change by the eighteenth century, the missionaries remained intransigent in their determi-

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nation to thwart adjustments in their equilibrium with the secular world. The formal expulsion of the Jesuits from the colonies in 1767 was only the most dramatic blow which the State finally leveled at the missionary orders; it reflected a situation of much greater cumulative enmity.

The eighteenth-century colonization of California provides a case in point of Spain's Church-State conflict. The specific issue around which larger antagonisms surfaced was the objection by missionaries to the choice of locations for the pueblo of San José de Guadalupe in 1777 and the Villa de Branciforte two decades later. This happened, in part, because the three forms of urban settlement in California—the mission, presidio, and pueblo—were distinct yet symbiotic entities. Missions were reconstituted Indian villages centered around a church and a strictly-supervised regimen of agriculture and crafts.² Their purpose was the introduction of Spanish civilization and the proselytization of the Catholic faith to Native Americans. Presidios, or forts, were to provide protection for mission communities as well as serve as coastal sentries and ports of entry; they were dependent on the missions for their sustenance. Pueblos or the more exalted villas (at least in title) were civilian agrarian settlements; their presence in California reflected the need to establish agricultural self-sufficiency in the province and to eliminate their dependence on the missions, as well as to increase the province's sparse Spanish population. From the beginning of the colonization effort, carefully drawn regulations prescribed where pueblos could be located with respect to Indian mission communities. In theory, this policy of separation of the mission from the secular world was to be vigorously enforced until such time as the mission completed its educational and evangelical tasks among the natives.

The mission-pueblo boundary disputes in late-eighteenth century Spanish California illustrate three dimensions of the Church-State problem. First, it becomes apparent that the acrimony of successive genera-

Despite the central role played in the course of empire by the aspiring missionary church, the institution became a perennial thorn in the side of a resource and revenue-hungry colonial government.

tions of conflict had made impossible harmonious dialogue between the clergy and secular interests, not only in matters of major impact (such as the timing of mission secularization), but also in rather minor if not wholly avoidable issues (such as boundary disputes). Second, it is revealed that secular interests chose to proceed with town foundings in a manner not only patently illegal, but also designed to tread heavily upon, if not humiliate, the Franciscan missionaries. Thirdly, it is evident that the California friars actively kindled the flames which were eventually to consume them by strenuously opposing the establishment of such secular communities from the very beginning. By turning a deaf ear on the needs of the State, the missionaries sowed the fateful seeds of exasperation and vindictiveness among their military and agrarian brethren.

It is therefore not surprising that tensions often ran high in the early years of the settlement of California. For example, following the midnight Indian uprising at the San Diego mission in November, 1775, Junípero Serra, father president of the missions, quarreled with Captain Fernando de Rivera y Moncada concerning measures to deal with rebellious and hostile Indians. Both parties had cause for anger because deteriorating relations between Rivera's soldiers and the mission community had led the missionaries to insist that the troops withdraw from the immediate area. This left the mission virtually defenseless against the surprise attack. Concurrently, the padres constantly bridled at the government-imposed prices at which their grain was to be sold to the military,

Paternalistic stewardship characterized the church's relations with native peoples. This Dufлот de Mofras sketch shows Father Duran and an Indian child at San José.

and they retaliated by withholding spiritual services from the troops; these services they regarded as voluntary charity, not a prescribed duty. The military, in turn, could counter by providing decreased protection to the missions, thus inviting the possibility of another tragedy like that at San Diego. Behind these squabbles was the difficulty of separating policies from the individuals empowered to carry them out. In these years personalities in conflict produced frequent disagreements which, according to historian Hubert Howe Bancroft, were "often petty in all their phases, and such as might easily have been avoided by slight mutual concessions and efforts to promote harmony."³ For example, it required two years to resolve the seemingly trivial issue of State-sanctioning of the missionaries' power to administer the sacrament of confirmation. Father Serra and Governor Felipe de Neve battled from 1779 to 1781 on this issue alone.⁴

Although the role of individual personalities should not be minimized, the sources of the boundary conflict in California were as cumulative as they were circumstantial. In the sixteenth century, the Spanish monarchy realized that the secular clergy were more malleable than the religious orders whose primary ties were to Rome rather than to the Crown. Philip II thus sought to minimize the role of the regular clergy in the colonies, but he was never able to achieve this end due to the scarcity of secular priests. This perpetual condition insured the continued sway overseas of the regular clergy, a fact which sorely vexed successive sovereigns, particularly the eighteenth-century Bourbon monarchs.⁵

The overriding factor in Church-State discord was not abstract conflicts of authority and allegiance, but rather the control of territory and population. As early as 1530, royal governors were instructed to respect the integrity of Indian communities, their organization, and their

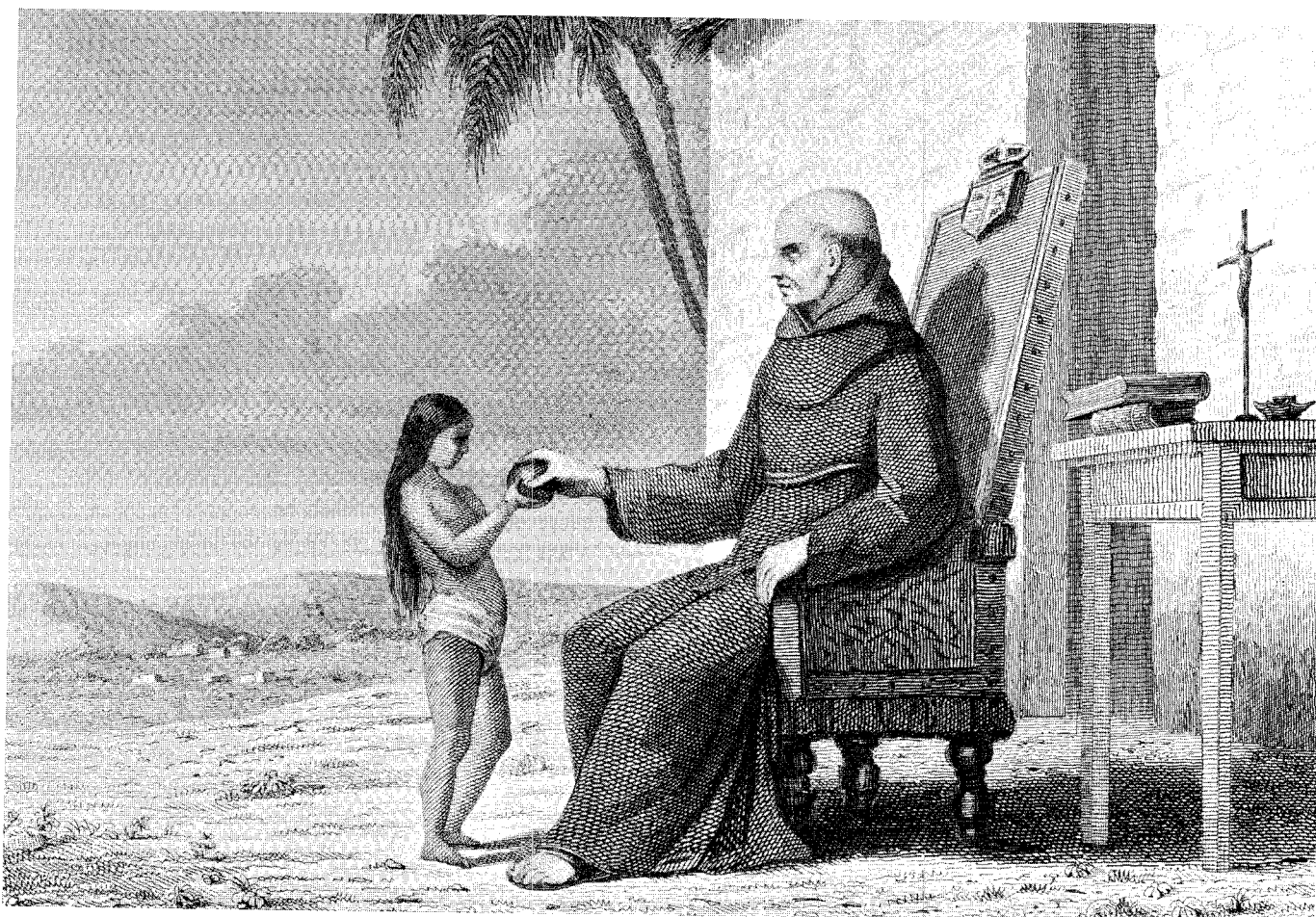
customs, excepting what was deemed justifiable intervention in matters involving pagan customs or barbarous practices.⁶ The implications of territorial integrity extended to other fronts as well. It was very early viewed as a necessity, writes historian J. Preston Moore, "to protect the Indians against legal injustices at the hands of the *encomenderos*, caciques, and pettifogging attorneys."⁷ Through the centuries, the rationale for this almost too fiercely protective attitude remained remarkably consistent. An early spokesman, the Franciscan mystic Geronimo de Mendieta (1525-1604), similarly wrote:

The Indian with respect to the Spaniard is like a small dog in front of a mighty lion. The Spaniards have both the evil desire and the strength to destroy all the Indians in New Spain, if they were ever given the chance. The Indian is so phlegmatic and meek, that he would not harm a fly. Consequently, one must always assume in case of doubt that the Spaniard is the offender and the Indian is the victim.⁸

Considerably later, at the virtual end of the colonial era, Father President Fermín Francisco de Lasuén reiterated the separatist attitude long fostered by missionary rule. Articulating much the same fears as did Mendieta, Lasuén brought the matter still closer to the outright proprietary paternalism to which the friars had so accustomed themselves. "If in some missions, or in all of them," he wrote,

certain Indian men and women are sometimes denied permission to associate with certain individual people *de razón*, it is for precisely the same reasons as those for which every good father of a family in every civilized nation should forbid his children to go with bad companions.⁹

The specifics which may be read into this attitude extended to include actions of vigorous resistance to any and all perceived incursions of the secular society into the broadly-defined sphere of interest which the missionaries took as their mandate. These included opposition to institutional changes relevant to internal mission organization such as governance and land uses. Although attempts to manipulate mission internal affairs were



loudly contested by the friars, it was a relatively simple matter for them first to resist and then to put on a show of compliance, while absorbing only a minimum of change. Thus, in 1778 when Governor Felipe de Neve ordered that mission Indians commence electing their own *alcaldes*, or mayors, and *regidores*, or councilmen, Lasuén countered with narrow objections based on technicalities, then quietly yielded. However, in the end, he cleverly dodged de Neve's directive by lengthening the interval between elections and then by eliminating them entirely, substituting municipal officers appointed by missionaries.¹⁰

But not all threats to the missionary realm could be quite so easily parried. Supreme in a land where they dominated both resources and population, the friars were content to maintain the *status quo*. But the larger objectives of empire, specifically the populating of the province and the encouragement of agrarian endeavor, dictated a change in this hegemony. Felipe de Neve realized that the introduction of civil agricultural settlements was essential to California's security, if not survival,

and his term as governor was to witness the founding of two pueblos, San José de Guadalupe in 1777 and Nuestra Señora de Los Angeles de Porciúncula in 1781. It was with the establishment of San José that a new tale of acrimony began.

Father Junípero Serra was outspoken in his opposition to the introduction of secular establishments in California. The presidios he acknowledged as a necessary evil; but as for "pueblos composed of Spaniards, or of people of mixed blood," he had "never been able to see or recognize any advantage in it whatever, either on the temporal or spiritual side."¹¹ Serra believed that establishing more missions offered a better means of attaining agricultural self-sufficiency, for not only would they "be the means of supplying foodstuffs for themselves and for the Royal Presidios," but they would "accomplish this far more efficiently than these pueblos without priests."¹² However, the problem of populating the country remained, and Serra's ideas drew de Neve's sarcasm: "He forgets," wrote the governor, "that this would not people the land with Spanish subjects."¹³

Pragmatically, therefore, Serra could not easily dismiss the idea of civil towns in California. Not surprisingly, however, he relegated their advent to a date far in the future when "the gentiles that are spread throughout these lands have become Christian, and when they are settled in their various reservations or missions, . . . then will be the proper time for introducing towns of Spaniards." He warned, too, that the people must "be of good conduct and blameless life."¹⁴

If San José's colonists did not meet Serra's rigorous standards, then far less could be said for the site selected for California's first civilian settlement. In both 1778 and 1779 unseasonable flooding had inundated the pueblo, and in the latter year it languished under three feet of water. In his efforts to correct the situation, de Neve relocated the town's agricultural lands, relating that he had found a site "more suitable and closer to the population, changing the distribution which I have made."¹⁵ However, this action failed to remedy the immediate circumstances and instead initiated a prolonged round of acerbic sparring with the clerics which was to endure for twenty years.

The bitter controversy with the nearby mission at Santa Clara began to flare in earnest by the early summer of 1778. De Neve observed, "Said pueblo has not only encountered difficulties with the sowings, but also with the bad arrangement in which its lands were distributed, all in the direction in which the Mission of Santa Clara is situated."¹⁶ In June, 1778, Father Serra reiterated his vehement opposition to civil settlement to Viceroy Antonio María de Bucareli. Serra once again asserted that increasing the number of missions would provide a satisfactory solution to the problem of agricultural supply and suggested, "The settlers who can suitably fit into such a scheme—and at present their numbers are

few—should be distributed until more promising times among the missions."¹⁷

Serra took a necessary precaution in preparing the missionaries for the anticipated struggle with the secular authorities. In August, 1779, he wrote to his superior, the Guardian of the College of San Fernando, requesting that

. . . the *Recopilación de Leyes de Indias* (Code of Laws) [be] brought at the expense of all the missions and placed at this mission, where the President has his residence. The gentleman [Governor de Neve] has a copy, and he is outmatching us with his quotations. Although I remember quite an amount from the time I read these laws, I have also forgotten a great deal—especially the quotations. And so I would appreciate it if they came, and we can let him know he is not dealing with ignorant men.

The truth is that he will always get the better of us because of the knack he seems to have of getting around any law.¹⁸

Serra's fears notwithstanding, however, the body of laws enabled the missionaries to argue their case from an unassailable position, and their eventual defeat stemmed not from the intrinsic merits of the issue, but from the uncompromising and stubborn determination of the secular authorities to win their case.

The missionaries' "brief" may be divided into two distinct sections. One pertained to the rights of Indians and the prerogatives of Indian settlements, and the other consisted of statutes which limited the location of Spanish towns. In summary, the case presented by the religious observed that all royal officials were charged with the duty to protect and defend the rights of Indians and to punish transgressors vigorously, while the ecclesiastics' function was to insure that the privileges and prerogatives of the Indians in their jurisdictions were not jeopardized in any way.¹⁹ Consequently, Indian settlements were to have sufficient lands and water, as well as a commons of one league in length where cattle could be pastured without interference from herds belonging to Spaniards.²⁰ Once Indians were reduced to a settlement, they were to remain on that land for at least

five years in order to learn to cultivate it and profit thereby, and so they would learn the proper mode of government.²¹

With respect to limiting the settlement activities of Spaniards, the missionaries probably inadvertently omitted from their case key statutes which prohibited the founding of towns on sites that were not vacant or that were prejudicial to the interests of Indians.²² But equally appropriate was their citation of a prohibition against distributing land in newly-founded towns which adversely affected Indian holdings.²³ Infractions involving livestock were items of particular rancor with the missionaries, who invoked legislation which stipulated that ranches and other lands granted to Spaniards must not be in opposition to the interests of Indians, and if granted, such lands must be returned to their rightful owners.²⁴ More specific, however, was the stipulation that cattle ranches must not be situated within one and one-half leagues of older Indian settlements or within three leagues of new ones; otherwise, severe penalties for violations were to be exacted.²⁵ The presence of a pueblo adjacent to an Indian settlement constituted a far greater threat, or at least annoyance, than an *estancia*, or ranch, they continued. The missionaries' contentions, as it turned out, were all valid, and none were offered in rebuttal by the secular authorities.

Despite Father Serra's undisputable position, however, nothing was done to remedy what he considered to be an unjust state of affairs. Of Governor de Neve, Serra wrote, "Common sense, laws, and precedents mean nothing to him."²⁶ Further, although de Neve surely realized the sound basis on which the religious grievances rested, he

went ahead with his project, even though he often changed the plans and details of its development, and even the people who lived there. But it remained on the same site. . . . On one occasion the gentleman in question [de Neve] went so far as to admit that everything had been . . . carried out contrary to the laws. But he excused himself by saying that his

A change of site in 1785 would not have represented a major dislocation for the settlers, because their houses were only palisade structures with earthen roofs.

instructions had not been obeyed, that his wishes were that it should be in a different town. He even went so far as to hint that it would be changed.²⁷

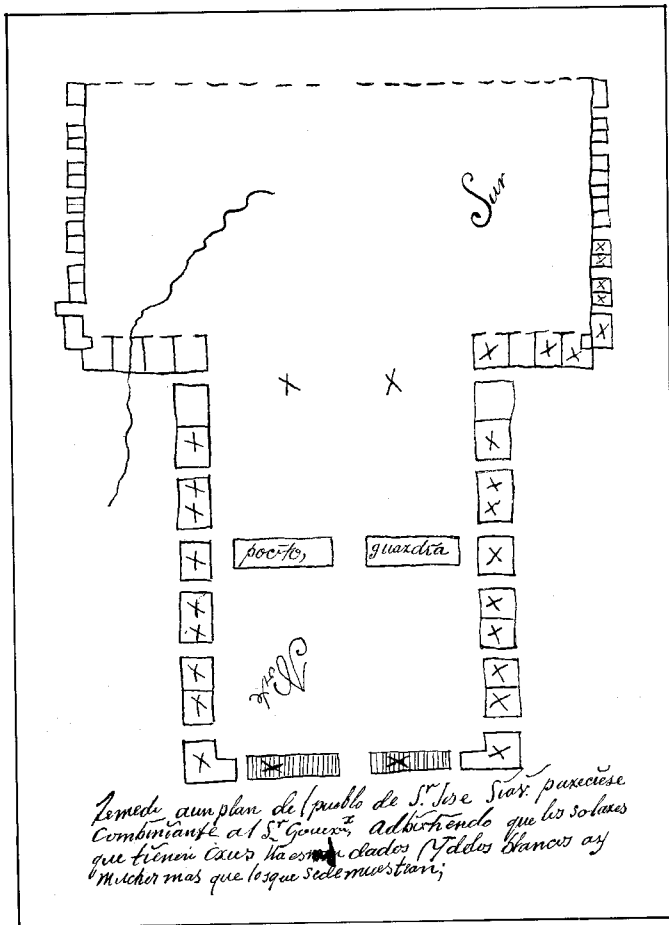
Serra continued that neither de Neve nor any other official had ever made the effort to set a boundary between the mission and pueblo because "justifiable complaints would be made and lawsuits started."²⁸ Such complaints were lodged by the missionaries at Santa Clara in 1782. They wrote to Pedro Fages, de Neve's recent successor as governor:

When we recall how short a distance there is between the two, we can see how much annoyance and damage will be caused to our poor convert Christians, and what a source of constant friction it will be to them. . . . It is contrary to His Majesty's laws that any land should be owned by citizens of the said pueblo. . . . This is clear from the measures Your Lordship might order to be made and also when you compare your findings with the laws contained in *La Nueva Recopilación de Indias*.²⁹

Serra, however, realized that righteous anger in an isolated province such as California would not convince the secular authorities in Spain to change the location of the town. Accordingly, he wrote to his superiors in frankness, "If the laws dealing with such matters, and they are very specific, are of no account, then everything else is to no avail."³⁰

Unhappily, the civilian authorities were equally frustrated in their intents. Flooding continued to plague San José despite the considerable efforts and tribulations which earlier difficulties had exacted from the settlers. In early 1785 it was first suggested that it would again be

"San José's colonists did not meet Father Serra's rigorous standards." An unsigned, undated plan of the pueblo of San José, perhaps the earliest of the pueblo.



necessary to move the town to a higher elevation, but Comisionado José Moraga hesitated to initiate such drastic action. However, the sentiment of the settlers was in favor of relocation, and in August, Governor Fages wrote to Jacobo Ugarte y Loyola, commandant general of the *Provincias Internas*, requesting permission to move the town to a small nearby hill. The change of site would not have represented a major dislocation for the settlers, because at the time their houses were only palisade structures with earthen roofs.³¹ Ugarte approved the idea "as it would be more useful and advantageous," but warned that it must be done "without altering or vary-

ing . . . the limits and boundaries of the lands or districts assigned to said Town or to the contiguous Mission of Santa Clara since there is no just reason for it to claim said site."³² In other words, Ugarte stressed that the transfer of land uses must not jeopardize in any way the uneasy *modus vivendi* with the mission. Furthermore, while he intended to give the missionaries no satisfaction in their dispute of past years, he believed it was important for the location of San José to stay within the area, presumably four square leagues, which it had been assigned.

Despite the decade or so of contemplation, the move was not undertaken until 1797. In January of that year, *Alcalde* Marcos Chavoya officially requested that the town be transferred, "recognizing the deplorable situation in which the Pueblo has found itself owing to the flooding of the arroyos which surround it."³³ Governor Diego de Borica assented, but he wrote in the margin of the document, "Determination of the matter reserved until the engineer Alberto de Córdoba returns from San Diego to examine the terrain and informs me of what he has seen."³⁴ However, even before Córdoba's arrival, the Santa Clara missionaries were protesting that the change would adversely affect their interests and prerogatives.³⁵

When Córdoba arrived he was ordered to "reconnoiter carefully the environs of San José and indicate within its boundaries the site which is most proper for its transfer which is close to its tillage lands, and require the settlers to mark it off with stakes."³⁶ After Córdoba's work had been completed, Governor Borica attempted to mollify the missionaries by explaining to them how the determination had been made. Córdoba, after taking testimony from both sides "on their reciprocal claims," then proceeded to set the official boundary "not far from the lands which it today occupies, because these have been determined by the higher authorities." It was within these limits that "the settlers of said pueblo must immediately locate themselves."³⁷ The *pobladores*, or

settlers, were then instructed to "go to construct their houses on the other side of the river in case of flooding."³⁸

Despite their earlier defeat, the missionaries seized the opportunity to press their case once again. They wrote to Governor Borica, citing Libro VI, Título 3, Ley 9 of the *Recopilación*, "which prevents and prohibits Indians from leaving the lands which they had previously possessed."³⁹ At that time the friars claimed that the mission had 1,434 Indian neophytes, with 4,000 more living in surrounding *rancherías*, and thus, much more land would be required by the mission. They also argued that livestock from San José would stray from the pueblo's commons and destroy the mission's pastures.⁴⁰ Additionally, the validity of Córdoba's boundary determination was questioned.⁴¹ Complaints concerning trespassing by San José livestock had only recently been registered, which the missionaries believed to be in violation of "various royal *cédulas* (statutes) and the law," and they threatened to take their case to a superior court of appeal.⁴² But despite their apparent legal justification, even the viceroy did not see fit to take action and the matter was not broached again.⁴³

The two decades of sustained acrimony experienced in the Santa Clara Valley provided a hard-earned lesson in tactics to the secular authorities. Accordingly, in their plans of 1796-97 to found the Villa de Branciforte on the northern rim of Monterey Bay, the subterfuge of a *fait accompli* was embraced. Although there is no indication of any overt effort to conceal the plans to establish Branciforte, it must nevertheless have been a well-kept secret. The missionaries, in fact, learned of the proposed founding only two weeks before the first colonists were scheduled to arrive. Accordingly, Lasuén wrote to the president of his missionary college that the villa was "the greatest misfortune that has ever befallen

mission lands. . . . This is a flagrant violation of all law. If any remedy can be found, it would be wrong not to apply it."⁴⁴ A few days later Lasuén wrote Governor Diego de Borica, politely suggesting his disapproval of the matter. Lasuén argued:

The King knew the situation quite well, and so did his Excellency the Viceroy, and Mission Santa Cruz had already been founded with royal approval. Hence it appears to me impossible that his Majesty should wish, ordain, or approve of a villa or pueblo in the immediate neighborhood, or that his Excellency should attempt it.⁴⁵

The College of San Fernando lodged its formal protest with the office of the viceroy in August, 1797.⁴⁶ As with the case of San José, the missionaries substantiated their case with appropriate citations from the *Recopilación*, and in light of the similar circumstances underlying the two conflicts, it is perhaps worthwhile to make some comparisons. Again the friars' argument may be divided in two parts, one relevant to the protection of the rights of Indians, the other limiting the sites where towns of Spaniards might be established. In this instance the latter approach was not stressed to the viceroy, possibly because "the explanation given suffices to convince us that Your Excellency was not informed with the sincerity and truth, which the matter required, as to the site or location on which the new pueblo is projected against the express intent of such grand and equitable laws."⁴⁷ More conciliatory than before, the missionaries emphasized:

The College regards the project itself with favor as something useful. Nor does it venture to make representation in order to hamper or embarrass your Excellence. It merely desires to see the plan executed in accordance with the laws. Otherwise there will arise disputes, disorders and delays.⁴⁸

Three statutes from the *Recopilación* were cited in the Villa de Branciforte dispute which were not cited previously by the missionaries in the course of the San José-Santa Clara boundary squabble. (A second treatment of those statutes mentioned in both is unnecessary,

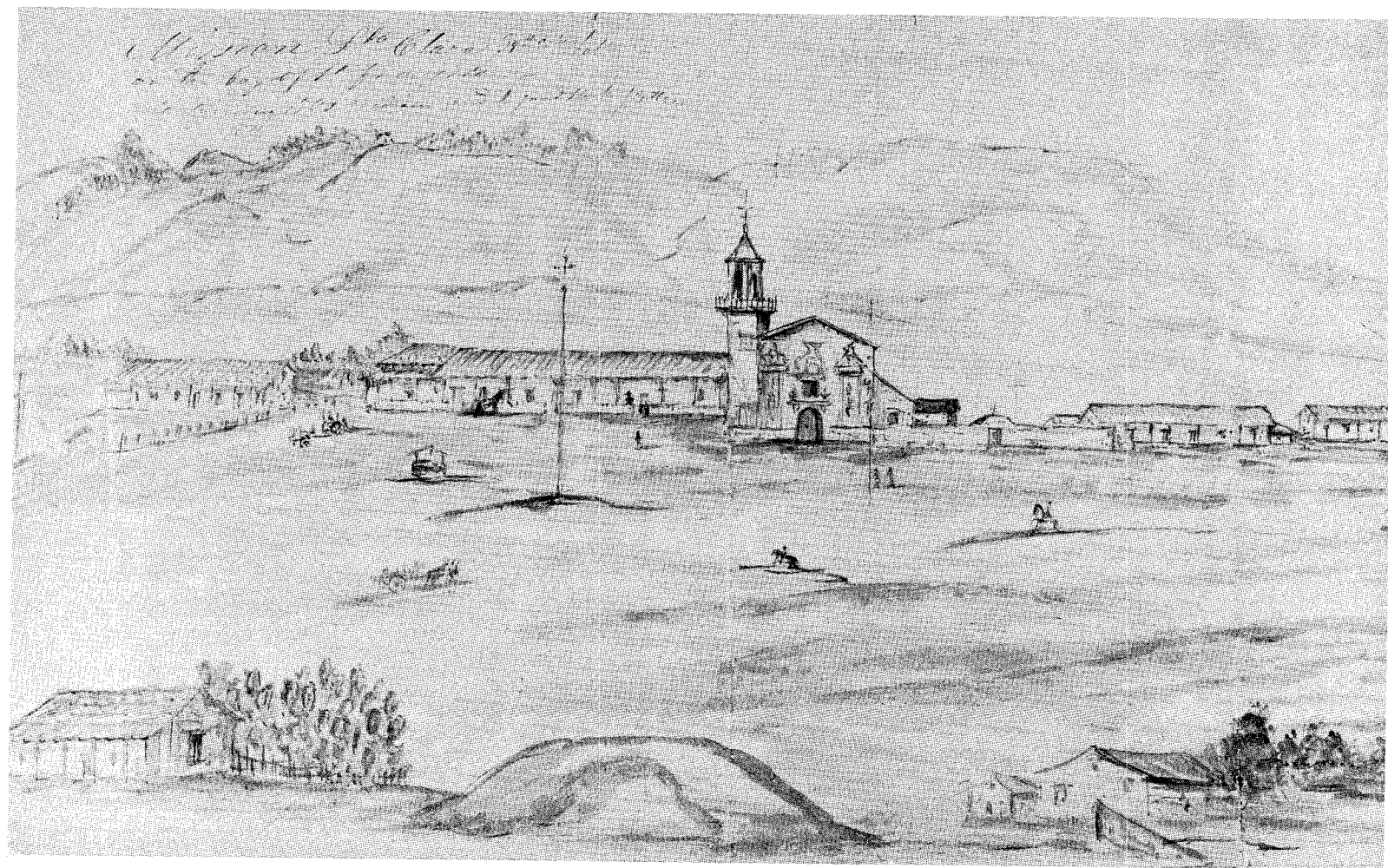
as they are discussed above.) The first of these—Libro IV, Título 21, Ley 8—was obviously an error;⁴⁹ the law which precedes it, No. 7, appropriately forbade the founding of new towns in areas which were already populated or which were in situations contrary to the interests of existing inhabitants.⁵⁰ Ley 12 safeguarded territory assigned to Indians from cattle pastures used by Spaniards.⁵¹ It should be emphasized that the villa and the Santa Cruz Mission were separated by the narrow San Lorenzo River and were “scarcely a stone’s throw away” from each other.⁵² Libro VI, Título 3, Ley 6 was another error, and probably the missionaries meant to refer to Ley 8, which provided for each mission “a location which has the convenience of water, arable lands . . . and a commons of one league in every direction.”⁵³

The missionaries’ protest, however, was unfortunately timed, and in light of international tensions and the viceroy’s resolution to found a town bearing his name, it is unlikely that there was any possibility of a significant change in the situation. But the protest did cause a delay and compel Borica to defend his actions. He argued in rebuttal that the mission had sufficient land for its declining Indian population and further suggested that the villa would be able to purchase whatever surplus the mission produced.⁵⁴ However, it was not until December, 1800, a hiatus of nearly three years, that the objections were laid to rest; finally, in March of 1801 the cost of the project was given final approval by the *Junta Superior de Real Hacienda* (Royal Treasury).⁵⁵

What is the explanation for the circumstances which precipitated these conflicts? In 1778 Viceroy Bucareli had reported the founding of San José to Charles III. One of the items in the report which both men must have noticed was the specific indication that the new

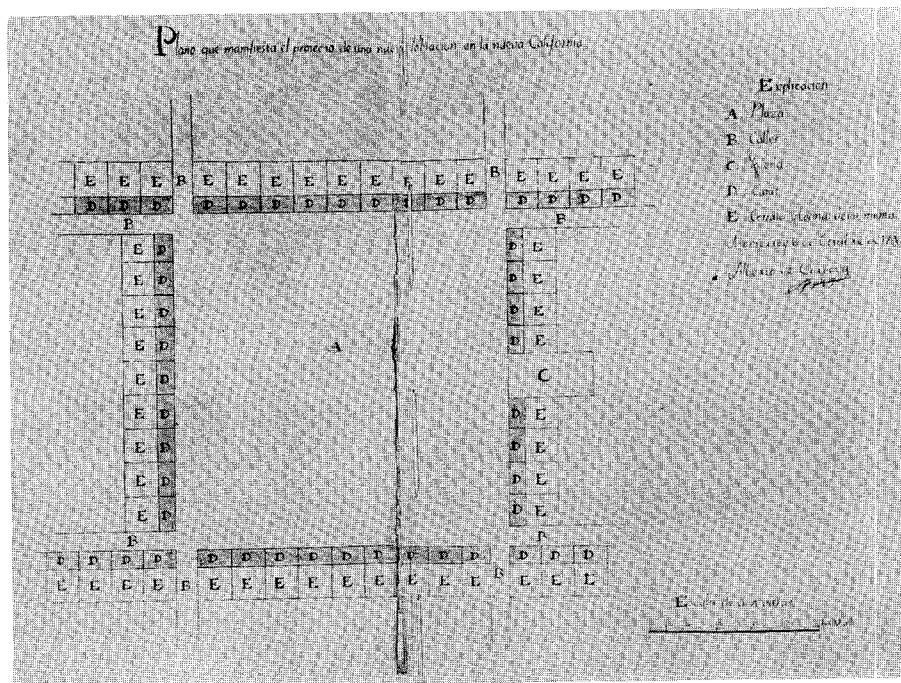
town was but three-quarters of a league from a mission, a rather suspicious proximity.⁵⁶ Nevertheless, the purposes for which the town had been established received unquestioned precedence, and it is doubtful that the king would have seen fit to intervene in a dispute over a minor provincial settlement. Governor de Neve was the real culprit, because his unilateral decision to locate San José near the mission was ill-advised and contrary to law. Indeed, he had the entire Santa Clara Valley at his disposal for a site. Nevertheless, the decision was subject to higher approval, and if it had been reversed, San José would not have been the first Spanish colonial town to have been relocated during its early years. It was upon Viceroy Bucareli that the responsibility ultimately devolved, and although in him “Serra did not have a better friend,” Bucareli did not see fit to take action with respect to San José.⁵⁷ Teodoro de Croix, commandant general of the *Provincias Internas*, was directly responsible for affairs in California. Though a religious man, Croix was not an ally of the missionaries. For these reasons the decision stood to maintain San José near its original site, and there existed no further avenue for appeal for the clergy.

Similarly, a feared confrontation with England, which led to the founding of the Villa de Branciforte,⁵⁸ dictated a course of action oblivious to the niceties of statutory orthodoxy as well as to the costs of internecine squabbling. Indeed, the California boundary disputes demonstrated that missionary (and presumably Indian) interests were of such low priority that even modest accommodations were spurned in favor of wholly uncompromised attainment of secular goals. This in turn reflects the continuing intransigence of the missionaries’ attitudes concerning Indian stewardship and their chronic inability to define the well-being of the mission Indian in a context any broader than the societal isolation of the mission community. It was the increase of the Spanish population and the founding of Spanish towns, regardless of prior intents, that had become the only



Controversy over agricultural lands flared between San José and Mission Santa Clara. This 1842 sketch of the mission was made by G. M. Waseurtz af Sandels, who noted that it contained 1500 Indians and "one good flock of cattle."

This 1796 plan of Branciforte, drawn and signed by Alberto de Córdoba, shows the layout of the projected new town. "A, plaza; B, streets; C, church; D, houses; and E, yards and kitchens of the same."



real goals of the California colonization. The missionaries and Indians may have been quite indispensable to the maintenance of California in the latter three decades of the eighteenth century, but their voices were rarely heard or heeded beyond the pale. For all their illusory power based on the domination of population and agricultural resources, the missionaries could never, or more correctly, would never establish their credibility as interpreters of the general welfare.

The drawing of Duran is from M. Duflot de Mofras, *Exploration de Territoire de l'Oregon, des Californies* . . . (Paris, 1844). The plan of Branciforte is from Lesley Byre Simpson, *An Early Ghost Town of California, Branciforte* (San Francisco, 1935); that of Pueblo San José is from the files of the Western Title Insurance Company, San Jose. The sketch of Mission Santa Clara is from the CHS Library.

Notes

1. Lewis Hanke, *The Spanish Struggle for Justice in the Conquest of America* (Boston, 1965), p. 175.
2. See Herbert E. Bolton, "The Mission as a Frontier Institution in the Spanish-American Colonies," *American Historical Review*, 23 (October, 1917): 42-61.
3. Hubert Howe Bancroft, *History of California* (7 vols.: San Francisco, 1884-1890), I: 407.
Occasionally, however, aberrant behavior transcended personal disharmony. The contentious existence of Fernando de Rivera y Moncada in California was apparently due to pathological causes. Fr. Pedro Font observed "he does not like to take

suggestions from anybody about anything" (Pedro Font, *Diary of an Expedition to Monterey by Way of the Colorado River, 1775-1776*, ed. & trans. Herbert E. Bolton [Berkeley, 1933], p. 226). While attending to the distress of the San Diego Mission following the Indian uprising of 1775, Rivera's extreme course of action in dealing with one of the culprits caused Frs. Fuster, Lasuén, and Amurrio to excommunicate him (Bancroft, I: 266-267). Even Moncada's relations with his military colleagues were tempestuous. An observer of his interaction with the highly respected Juan Bautista de Anza believed that Rivera was mad; José Moraga shared this opinion (Bancroft, I: 270-271). Bancroft's assessment was perhaps more charitable: "Rivera was evidently a weak man. Whether insane, or influenced solely by a spirit of childish jealousy . . . is a question." (Bancroft I: 272).

4. Edwin A. Beilharz, *Felipe de Neve: First Governor of California*. (San Francisco, 1971), pp. 55-61.
5. Frederick B. Pike, *The Conflict Between Church and State in Latin America* (New York, 1964), p. 6.
6. J. H. Parry, *The Audiencia in Nueva Galicia in the Sixteenth Century: A Study in Spanish Colonial Government* (Cambridge, England, 1948), pp. 59-60.
7. J. Preston Moore, *The Cabildo in Peru Under the Hapsburgs, 1530-1700* (Durham N.C., 1954), p. 234.
8. Quoted in John Leddy Phelan, *The Millennial Kingdom of the Franciscans in the New World* (Berkeley, 1956), p. 61.
9. Lasuén, Mission San Carlos, June 19, 1801, Fermín Francisco de Lasuén, *Writings*, ed. & trans. Finbar Kenneally, O. F. M. (2 vols.; Washington D.C., 1965), II: 212.
10. For a discussion of this point, see Daniel J. Garr, "Planning, Politics and Plunder: The Missions and Indian Pueblos of Hispanic California," *Southern California Quarterly*, 54 (Winter, 1972): p. 296.
11. Serra to Teodoro de Croix, Monterey, August 22, 1778, Junípero Serra, *Writings*, ed. Antonine Tibesar, O. F. M. (4 vols.: Washington, D.C., 1955-1966), III: 263.
12. *Ibid.*, 255.

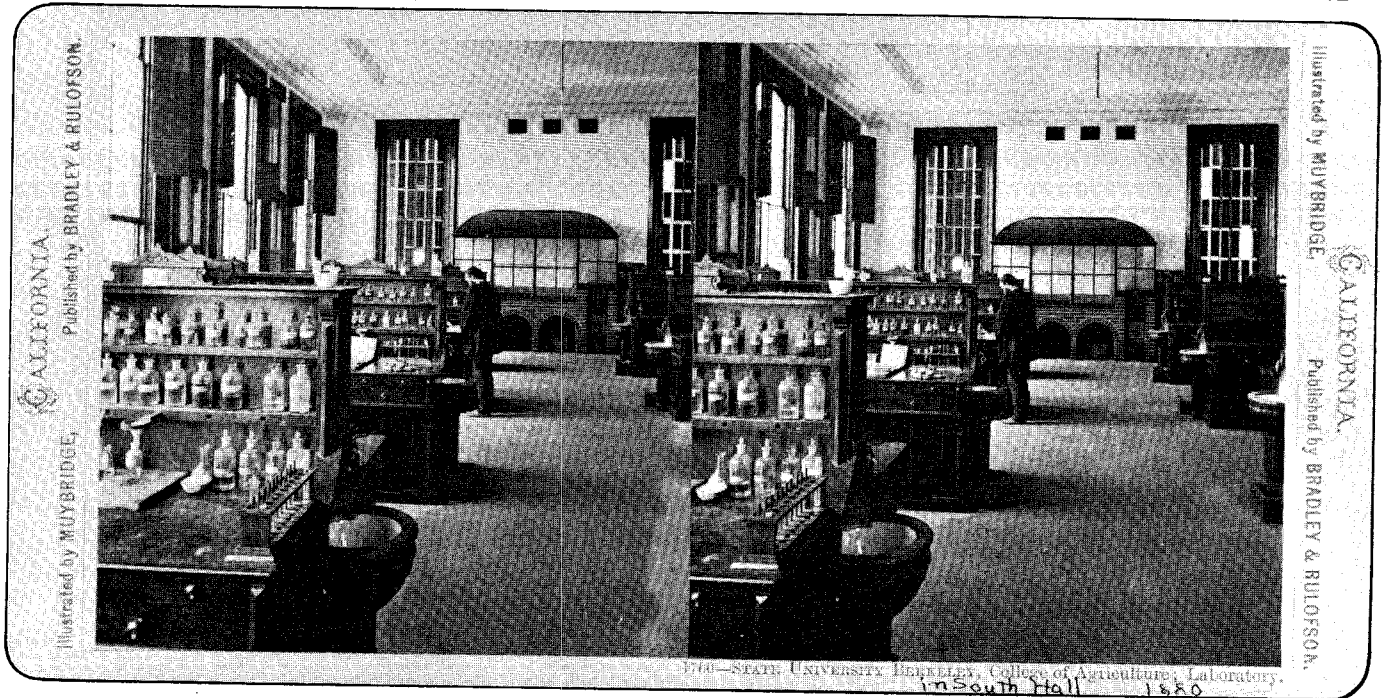
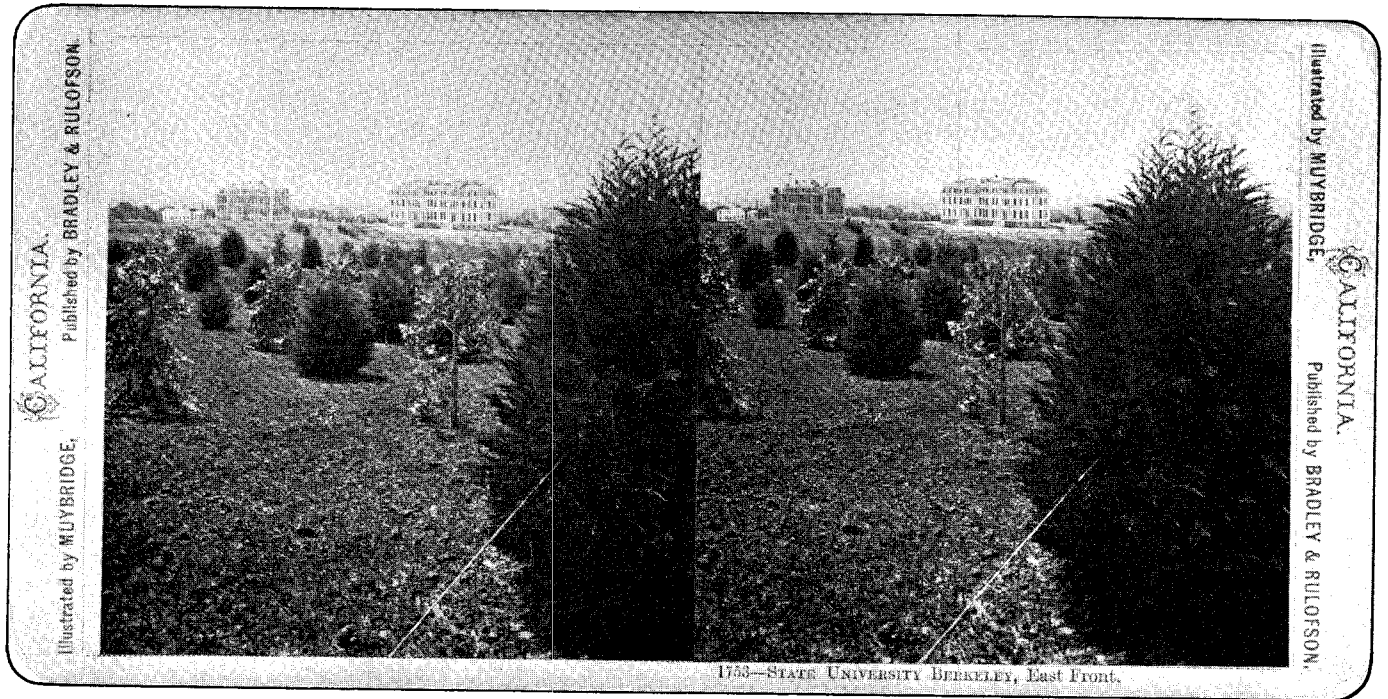
13. Quoted in Bancroft, I: 314. See also Daniel J. Garr, "A Rare and Desolate Land: Population and Race in Hispanic California," *Western Historical Quarterly*, 6 (April, 1975): 133-148.
14. Serra, III: 255.
15. Felipe de Neve to Teodoro de Croix, Monterey, August 11, 1778, California Archives, Bancroft Library (CA), Provincial Records (5 vols.), I: 92.
16. *Ibid.*, 9. The mission had been founded ten months earlier in January, 1777.
17. Serra to Bucareli, Monterey, June 30, 1778, *Serra Writings* III: 199.
18. Serra to Fr. Rafael Verger, Monterey, August 15, 1779, *Serra Writings* III: 133.
19. *Recopilación de leyes de los Reynos de las Indias*, 4th ed. (3 vol.: Madrid, 1791), II: Libro IV, Título 4, Ley 5, 13; II: Libro VI, Título 1, Ley 1, 189-190.
20. *Ibid.*, II: Libro VI, Título 3, Ley 8, 209. An ordinance promulgated by Philip V in 1713 was also listed. It differed from the preceding in that the commons had to consist of one league in every direction; this regulation is not listed in the annotations in the *Recopilación* to the ley cited above (ordinance cited in Maynard J. Geiger, O. F. M., *The Life and Times of Fray Junípero Serra* (2 vols.; Washington, D. C., 1959), II: 196.
21. *Ibid.*, II: Libro VI, Título 1, Ley 20, 194; II: Libro VI, Título 3, Ley 8, 209.
22. *Ibid.*, II: Libro IV, Título 5, Ley 6, 16; II: Libro IV, Título 7, Ley 1, 19.
23. *Ibid.*, II: Libro IV, Título 12, Ley 7, 41.
24. *Ibid.*, II: Libro IV, Título 12, Ley 9, 41.
25. *Ibid.*, II: Libro IV, Título 3, Ley 20, 211-212.
26. Serra to Fr. Francisco Pangua and the Discretorium, Monterey, December 8, 1782, *Serra Writings*, IV: 169.
27. *Ibid.*
28. *Ibid.*, 169-171.
29. Frs. José Antonio Marquía and Tomás de la Peña to Governor Pedro Fages, Santa Clara, November 2, 1782, *Serra Writings*, IV: 397.
30. Serra to Pangua, *et al.*, *Serra Writings*, IV: 169.
31. Bancroft, I: 479.
32. Ugarte y Loyola to Fages, Arispe, June 21, 1787, CA, State Papers. Missions and Colonization (2 vols.), I: 271.
33. Chavoya to Governor Diego de Borica, San José, January 10, 1797, CA, Provincial State Papers (13 vols.), IX: 25-26.
34. *Ibid.*
35. Fr. Francisco Sánchez to Borica, Mission Santa Clara, April 30, 1797, CA, State Papers. Missions and Colonization, I: 269. There is a document from about 1790 which indicates that the land to the south of what is presumably Coyote Creek belongs to the pueblo and that on the north side to the mission. (Anonymous, n. pl., n. d. (c. 1790), CA, Departmental State Papers. San José (2 vols.) I: 45.
36. Borica to Córdoba, Monterey, May 11, 1797, CA, Provincial State Papers, Indices, 257.
37. Borica to Sánchez, Monterey, May 11, 1797, CA, State Papers. Missions and Colonization, I: 92-93.
38. Ignacio Vallejo to Borica, San José, September 26, 1797, CA, Provincial State Papers, VIII: 344. The move was to the east side of the Guadalupe River.
39. *Recopilación*, II: Livro VI, Título 3, Ley 9, 208.
40. The first of these documented incidents appears to have occurred in 1794 (José Pérez Fernandez to Borica, San Francisco, December 1, 1794, CA, Provincial State Papers, VII: 34).
41. Frs. Magín Catalá and José Viader to Borica, Mission Santa Clara, August 6, 1797, CA, State Papers. Missions and Colonization, I: 276-280.
42. Frs. Isidoro Barcenilla to Ignacio Vallejo, San José, October 9, 1797, CA, Provincial State Papers, VIII: 351-352.
43. De la Peña to Viceroy Miguel José de Azanza, Mexico, Colegio de San Fernando, July 27, 1798, CA, State Papers. Missions and Colonization, I: 46-51.
44. Lasuén to Fr. Pedro Callejas, Mission San Carlos, May 1, 1797, Lasuén, II: 26.
45. Lasuén to Borica, Mission San Carlos, May 5, 1797, *ibid.*, 27.
46. College of San Fernando to Viceroy Branciforte, Mexico, August 30, 1797, cited in Zephyrin Engelhardt, O. F. M., *The Missions and Missionaries of California* (4 vols.: San Francisco, 1908-1915), II: 517-519.
47. College to Viceroy, *ibid.*
48. College to Viceroy, *ibid.*
49. *Recopilación*, II: Libro IV, Título 12, Ley 8, 41.
50. *Ibid.*, II: Libro IV, Título 12, Ley 7, 41.
51. *Ibid.*, II: Libro IV, Título 12, Ley 12, 42.
52. College to Viceroy, Engelhardt, *Missions and Missionaries*, II: 517-519.
53. *Recopilación*, II: Libro VI, Título 3, Ley 8, 209.
54. Borica to Branciforte, Monterey, February 6, 1798, cited in Bancroft, I: 572.
55. Fiscal to Viceroy Felix Berenguer de Marquina, Mexico, December 11, 1800, cited in Florian F. Guest, O. F. M., "The Establishment of the Villa de Branciforte," *California Historical Society Quarterly*, 41 (March, 1962): p. 43.
56. Bucareli to Charles III, Mexico, July 27, 1778, *La Administración de D. Frey Antonio Maria de Bucareli y Ursua*, ed. Romulo Velasco Ceballos (2 vols.; Mexico, 1936), I: 436-437.
57. Quoted in *Serra Writings*, I: xvi.
58. For more information on the international pressures on Spain, see Guest, "Villa de Branciforte"; Daniel J. Garr, "Villa de Branciforte: Innovation and Adaptation on the Frontier," *The Americas*, Summer, 1978; and William Ray Manning, *The Nootka Sound Controversy* (1905).

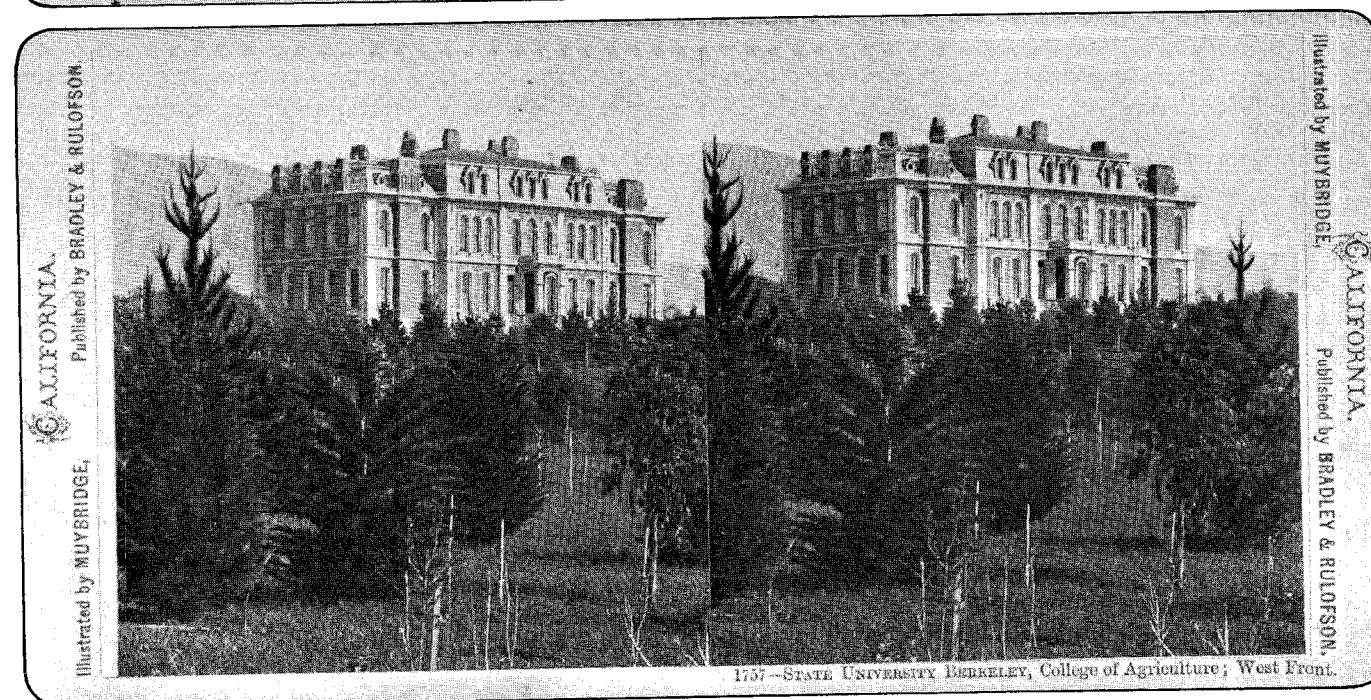
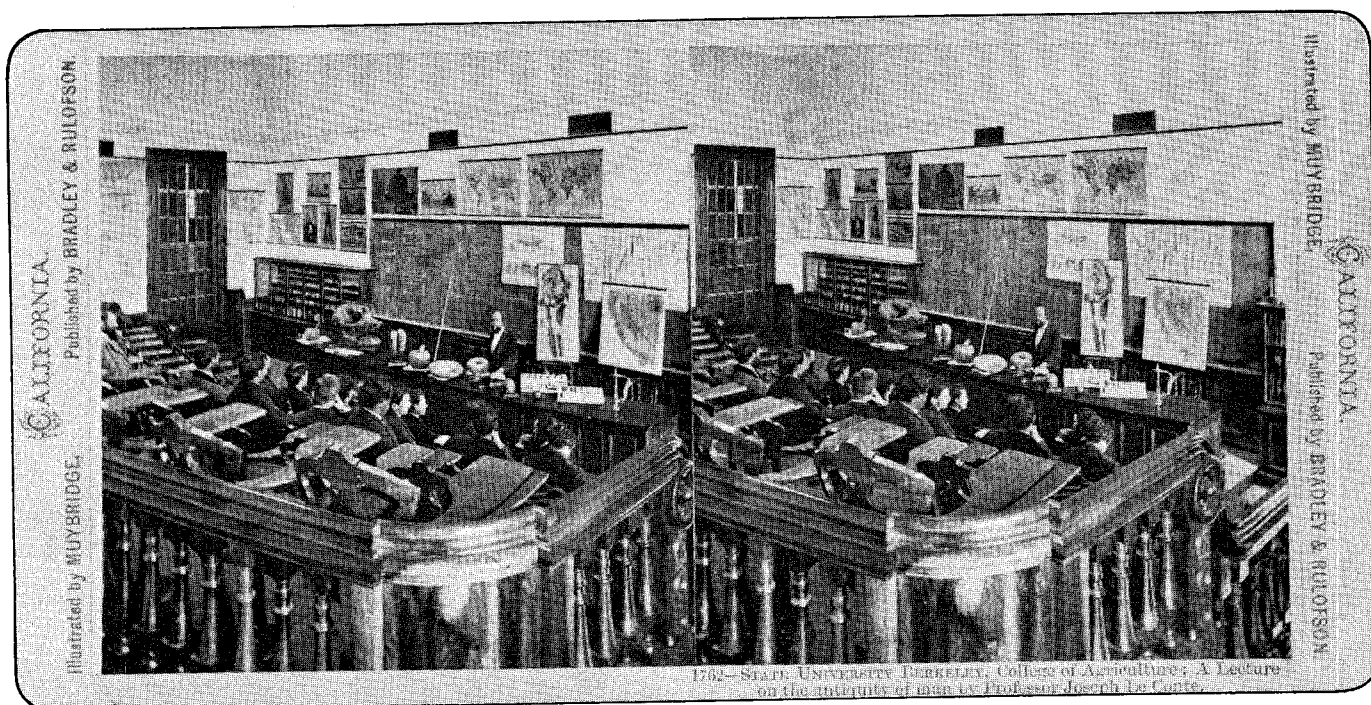
*From the University of California
Archives—Muybridge Views of
Berkeley in 1874*

The University of California Archives in The Bancroft Library is much more than a collection of dusty, bureaucratic documents. The archives also contains lively material of interest both to historians and the general public. Two years ago in this magazine's pages, University Archivist J. R. K. Kantor described the archival collection of Sather Gate political handbills and broadsides. In this issue, Dr. Kantor discusses another valuable holding: stereographic views of the new Berkeley campus taken in 1874 by the noted photographer, Eadweard Muybridge. The stereographs are among the earliest existing photographs of the University of California campus. Although published purely as commercial items to be sold to the general public by Bradley & Rulofson of San Francisco, many of the views have artistic merit, and all are valuable historic artifacts.

In September of 1873 the fledgling University of California, then in its fifth year, moved from cramped quarters in downtown Oakland to a new campus at Berkeley. By that time two permanent buildings had been constructed, a president with scholarly credentials had been called from Yale, and 191 students had enrolled. There were few dwellings in the rural area bordering the university grounds, and the south entrance (where Sather Gate would eventually stand) was marked by a small wooden bridge spanning Strawberry Creek. Faculty and students, for the most part, commuted. "It takes two hours and a quarter to come from San Francisco to Berkeley, and one hour and a half from Oakland to Berkeley," commented the *University Echo*, one of the two undergraduate newspapers. Early in 1874 the Berkeley Hotel opened its doors on the corner of Bancroft Way and Choate Street (later Telegraph Avenue). "This Magnificent Hotel was built expressly with a view to comfort and convenience. Two, three and four rooms can be thrown into one if desired. Marble basins and grates in every room." A French restaurant

Mr. Kantor is the Archivist of the University of California.





had also opened, and later a grocery and meat market advertising "all goods at Oakland prices."

This was the scene which greeted Eadweard Muybridge when he crossed San Francisco Bay in April with his camera and equipment. Perhaps he was more spirited than usual, for his wife had given birth to a son on the fifteenth of that month and his marital troubles were still in the future. The photographer had arranged with Bradley & Rulofson to issue stereographic views of his university scenes, and several eventually found their way into the University Archives when Joseph Cummings Rowell, a member of the Class of 1874, was appointed the university's first librarian one year following his graduation. (Rowell was editor of *The Berkeleyan* in the spring of 1874 when the report of Muybridge's visit was noted in its pages.) Along with the better-known views of the university grounds taken by Carleton E. Watkins during the same year, Muybridge's photographs are certainly among the first taken on the Berkeley campus.

Construction of the university's College of Agriculture, better known as South Hall, was begun in May of 1870, delayed due to lack of funding, and finally completed in 1873. When it became apparent that one building would not suffice, plans were drawn up for the College of Letters, or North Hall. Both were designed by David Farquharson of San Francisco, who had also created a plan for the development of the campus which was to include colleges of mining, mechanical arts, and civil engineering, an observatory, and a Hall of California, as well as quarters for faculty and students.

Because South Hall alone was fireproof, it was thought best to place the university's small library there, along with the laboratories, the science lecture room, and the temporary museum rooms for display of the collections of the state geological survey and other specimens. Librarian Rowell, in reminiscences written in the 1930's, recalled that "when the wind was in the right direction, the pungent fumes of chlorine and other equally effi-

*Muybridge spent a couple of days
recently taking pictures of the University
buildings, and the various rooms in them.
The Berkeleyan office is soon to
have a set of them.*

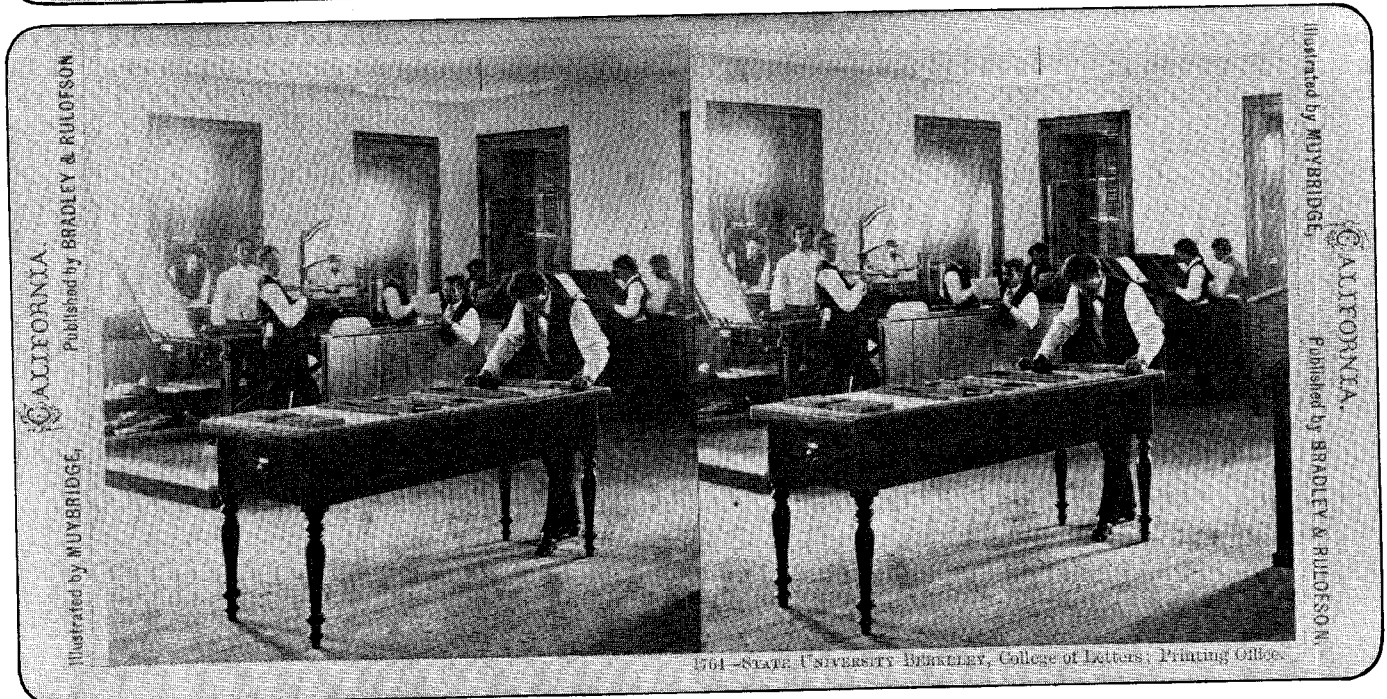
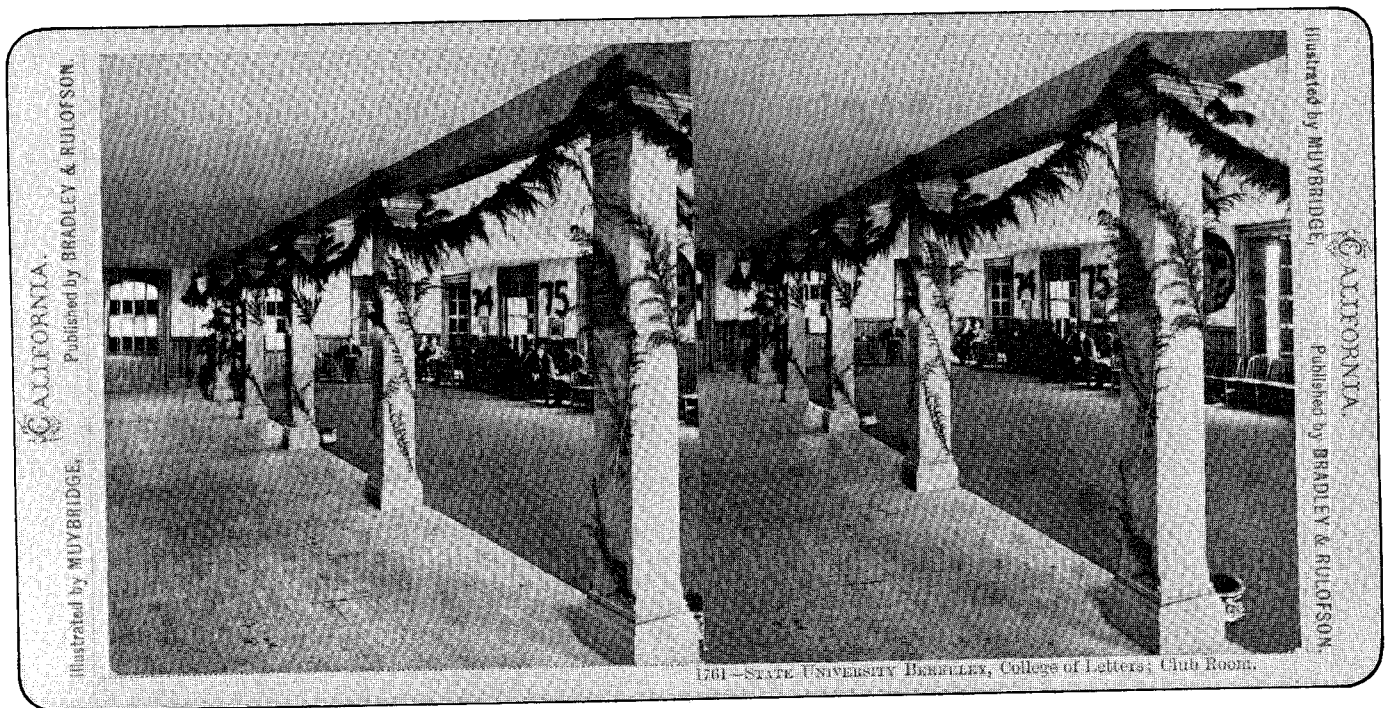
(The Berkeleyan, May 1874)

cacious disinfectants were wafted into the sacred precincts [of the library], to the utter destruction of all book worms (except bipeds)."

Instruction in the sciences was given over to the LeConte brothers, John and Joseph, who had arrived in Berkeley from South Carolina following the Civil War. Physics was John's domain, while Joseph's lectures encompassed the entire field of natural history—botany, geology, and zoology.

North Hall, the larger of the university's first two buildings and whose site is now occupied by The Bancroft Library, housed a large assembly room, the philosophy lecture hall, and classrooms for mathematics, civil engineering, history, English literature, and ancient and modern languages, as well as faculty rooms and club rooms for men and women students.

The University Printing Office, which occupied a large room in the upper story of North Hall, had been established "to provide needy students with profitable labor and to print for the university its catalogues and other needed items." In a report to President Daniel Coit Gilman in March, 1874, it was noted that "with the present month's issue of *The Berkeleyan*, about \$250 will have been earned since the first of January last, the greater part of which has been collected and distributed among the employed students. Twelve young men and five young ladies have become more or less proficient in the art since that time. Some earn their board and others



would do so, were there work enough for all their spare hours."

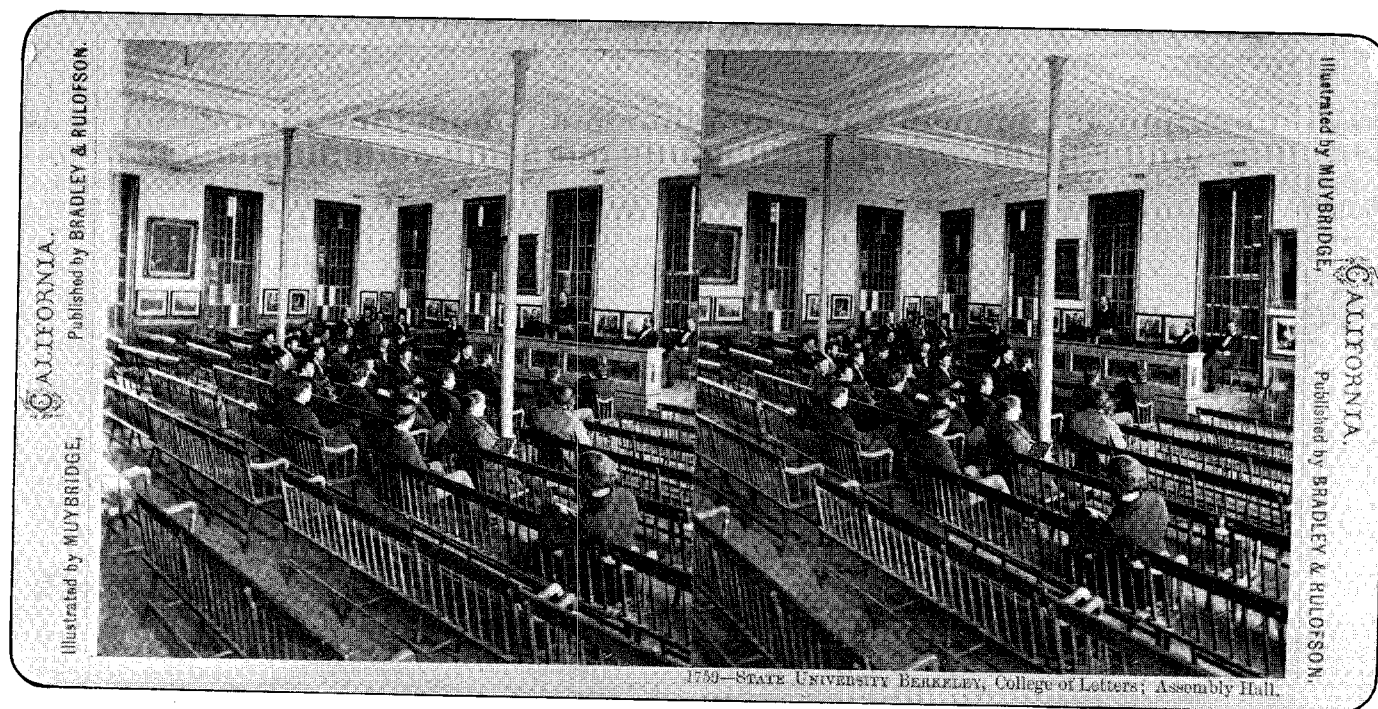
In his three years at the school, President Gilman, perhaps more than any other man, set the tone for the new university. In his inaugural address delivered in November, 1872, he had said of the young institution:

It is the university of this State. It must be adapted to this people, to their public and private schools, to their peculiar geographical position, to the requirements of their new society and their undeveloped resources. It is not the foundation of an ecclesiastical body nor of private individuals. It is 'of the people and for the people'—not in any low or unworthy sense, but in the highest and noblest relations to their intellectual and moral well-being.

Gilman often addressed the students in the assembly room of North Hall, in which were hung the twenty-

eight views of Yosemite Valley taken by Carleton E. Watkins and presented by him as one of the first major gifts to the institution. Increasing conflict with the Regents of the University led to Gilman's resignation in 1875 and his taking up the presidency of the newly-established John Hopkins University in Baltimore.

By the close of the 1870's the campus had grown, and two new buildings had been added—the Mechanical Arts Building in 1878 and the original Harmon Gymnasium in 1879. Student cottages had been built along Strawberry Creek at the west side of the grounds, and a community of houses was establishing itself to the south. And with the establishment of Berkeley as a city in 1878, the university at last had a proper postal address. No longer would mail be directed to "Berkeley (near Oakland)."



Book Reviews

The Southwest Expedition of Jedediah S. Smith: His Personal Account of the Journey to California, 1826-1827.

Edited by George R. Brooks. (Glendale: Arthur H. Clark Co., 1977. 259 pp. Folding map. \$29.95.)

Reviewed by John C. Paige, Research Historian for the Southeast-Southwest Team of the Historical Preservation Division of the National Park Service.

The Southwest Expedition of Jedediah S. Smith presents a fascinating chronicle of early western exploration. This work represents the eighteenth book in the Western Frontiersman Series published by the Arthur H. Clark Company and is a previously unpublished transcription of Smith's remarkable California sojourn. The journey began on August 7, 1826, when Smith and his small party of fur trappers left the Soda Springs Rendezvous and travelled across desert plains to Spanish California. They arrived at the San Gabriel Mission after a trip fraught with perils, and there most of the party rested. Smith and a few others travelled south to San Diego, returning to the San Gabriel Mission by sea. There the reunited band moved up the coast and inland, attempting unsuccessfully to cross the icy fastness of the Sierra Nevada Range near present day Sacramento. Finally, at Ebbetts Pass, they breached the mountain barrier and raced across the desert, arriving at the Bear Lake Rendezvous on July 3, 1827. The story of this adventure is told in Smith's narrative of the trip and the daybook account of fellow-adventurer Harrison G. Rogers.

Adding to the enjoyment of this epic is the well-done technical work of the Arthur H. Clark Company which is evidenced in the binding, paper, and printing of the book. The paper used for the map illustrations is a bit flimsy and folds awkwardly, however, thus marring the overall excellency of the workmanship. George Brooks edited the manuscript in the same workmanlike way, leaving as much as possible of the original punctuation, spelling, and capitalization. His reasoning was that "the text could have been smoothed out, but in doing so it would have broken the style and rhythm of Smith . . . and something of the first-hand experience would have been lost." This was a fortuitous decision, for Smith's narrative has an appealing style and imparts the robust flavor of the prose of the period.

Jedediah Smith took meticulous notes on everything in the new land. He commented on the flora, fauna, and mineral wealth of the country and incisively wrote of the indigenous populations of the regions. This attention to detail gives the reader a varied and exciting portrait of exploration.

The most distracting shortcoming of the book is the footnoting which occasionally lapses into frivolous digressions that do not substantively add to the material in the text. However, the work is worthwhile reading for both professional and amateur historians interested in early western exploration and Spanish California. One also gets insight into the prejudices, fears and dreams of Jedediah Smith, a most extraordinary man in a trade exemplified by extraordinary men. Through the writings of Smith, one begins to understand the ideas and attitudes that were the embryonic stirrings of manifest destiny in Jacksonian America.

The Economics and Politics of Racial Accommodation: The Japanese of Los Angeles, 1900-1942.

By John Modell. (Urbana: University of Illinois Press, 1977. xii, 201 pp. \$10.00.)

Reviewed by Nadine I. Hata, Associate Professor of History, Vice-chairperson of the California State Advisory Committee to the United States Commission on Civil Rights, and California State Historical Resources Commissioner.

The years 1900-1942 saw the arrival and establishment of the first (Issei) and second (Nisei) generations of what is now the largest concentration of Japanese Americans in the continental United States. Their ability to survive and succeed in the face of strong nativist and racist opposition in pre-World War II California was in large measure due to an accommodationist posture, a subject which forms the organizing theme of this published doctoral dissertation (Columbia University, 1969) by John Modell.

The principal value of this book is in Modell's detailed and comprehensive review, replete with copious footnotes, of the diverse and voluminous materials in English relating to the Japanese in Los Angeles—including the Japanese American vernacular press, unpublished theses and dissertations, and private and public documents. An initial discussion of posi-

tive and negative stereotypes is followed by a chronological and topical analysis of accommodationist strategies employed by the Issei immigrant pioneers and their American-born Nisei descendants to cope with a hostile economic and political environment. Their success was a combination of stubborn endurance and adaptation of traditional Japanese values and institutions to the American scene.

With certain areas of the local economy closed to them, Issei turned to domestic service and hotel keeping, truck farming of fruits and vegetables, and coastal fishing. The traditional practice of *tanomoshi-ko* or flexible rotating credit system provided for financial assistance in these early entrepreneurial efforts which also included food and flower wholesaling and processing. The need to coordinate economic activities and unite against racial discrimination led to the formation of numerous occupational associations such as the Japanese Fishermen, the Wholesale Market Operators, the Japanese Farm Federation, and even the Southern California (Japanese) Chop Suey Operators. Laborers also saw the need for unity. In 1937 Nisei fruitstand workers organized the Southern California Retail Produce Workers Union. Other community groups reflected the persistence of old country ties along with an overriding impulse toward Americanization: prefectural associations (*kenjinkai*) maintained regional loyalties and offered social services; Buddhist temples and Shinto shrines served as religious and social welfare centers—and reflected the inexorable need to adapt by adopting Sunday services and sponsoring Boy Scouts and baseball leagues. As the acculturated Nisei found themselves excluded from positions of power by the Issei-dominated hierarchy, they in turn formed their own social, political and economic units such as the Japanese American Citizens League and the Nisei Business Bureau.

In his Preface, Modell notes that he “cannot honestly claim to have always seen beneath the public surface of the Japanese community” because he does not read the language and is “neither a Japanese American nor a Californian.” This reviewer does not consider those problems insurmountable, but in another statement the author acknowledges what is perhaps the major weakness of his study: “My most central concern was accommodation as a *public* position. . . . I now wish there were, added to this, more effort directed to achieving a less external view of group process.” His study is limited therefore to an “outsider’s” perspective, albeit a comprehensive one, and does not penetrate the inner dynamics and nuances hidden behind the facade of consensus decision-

making and public posturing which were both characteristic of the Issei and Nisei community leadership and necessary because of the local, national and international tensions of the times.

With these qualifications the book is a useful gap-filler. What is needed now is a study with more empathy and focus on what really went on among the “insiders.”

Hastings College of the Law, The First Century.

By Thomas Garden Barnes. (San Francisco: University of California Hastings College of the Law Press, 1978. 457 pp. \$19.50.)

Reviewed by Verne A. Stadtman, Associate Director and Editor of the Carnegie Council on Policy Studies in Higher Education and author of The University of California 1868-1968.

Any history of a professional school that begins when formal professional education was still very young and crudely developed cannot help but be, in considerable part, a history of the profession itself. One of the strengths of Professor Thomas Garden Barnes' centennial history of Hastings College of the Law is that it provides precisely such a history of the legal profession in California at the same time that it traces the development of the institution. As his story unfolds, one can easily follow the ups and downs of an institution that has survived a hundred years at least as much by gall and ingeniousness as by design and fortune. But one can also watch the maturing of the legal profession in California.

Part of that maturation is suggested by the evolution of the college's curriculum, which Professor Barnes traces meticulously from the beginning in 1878-79, when everything it was believed a practicing attorney needed to know could be taught in one carefully designed “system,” to the present, when the faculty no longer attempts to teach everything to everyone because there is just too much law to know. The development of the profession is also discerned in the steadily rising admissions and graduation standards of the college. It is also to be inferred from the fact that although none of the school's first directors was a college graduate—though they were all members of the San Francisco Bar—its own alumni soon were counted among the best known lawyers in

San Francisco, if not the state. Many also held positions of power and influence in city governments, the legislature, and the judiciary. Some of them even became directors of Hastings itself, joining a board now totally dominated by college and university graduates.

This is not to say that the uniqueness of Hastings has been ignored. The author gives us an interesting and accurate portrait. His characterizations of founder Serranus Clinton Hastings, influential first professor John Norton Pomeroy, and Deans Charles William Slack, Edward Robeson Taylor, and David E. Snodgrass are particularly full and enlightening. The chapter on Hastings' famous "Sixty-five Club" admirably explains how and why the college anticipated by two or three decades the national questioning of compulsory retirement policies that squander seasoned wisdom and experience. Throughout the book one is also repeatedly reminded of the sometimes comic, sometimes exasperating, consequences of the college's imperfect affiliation with the University of California.

Professor Barnes, an historian and a legal scholar, was an excellent choice for writing the history of Hastings' first 100 years. Non-lawyers may occasionally be left at sea when the author's legal scholarship dominates, but perseverance will be rewarded.

Fortunes and Failures: White-Collar Mobility in Nineteenth-Century San Francisco.

By Peter R. Decker. (Cambridge: Harvard University Press, 1978. xvi, 336 pp. \$20.00.)

Reviewed by Charles Wollenberg, reviews editor of California History.

Social mobility studies of American cities are, almost by definition, exercises in historical revisionism. Most authors of such studies seek to revise the common assumption that the United States has been an open society in which poor, hard-working people can rise to the top. In fact, most recent urban historians find little social mobility in American cities. The class lines seem to have quickly formed in the nineteenth century and remained intact into the twentieth.

Peter Decker's study of San Francisco from 1847 to 1880

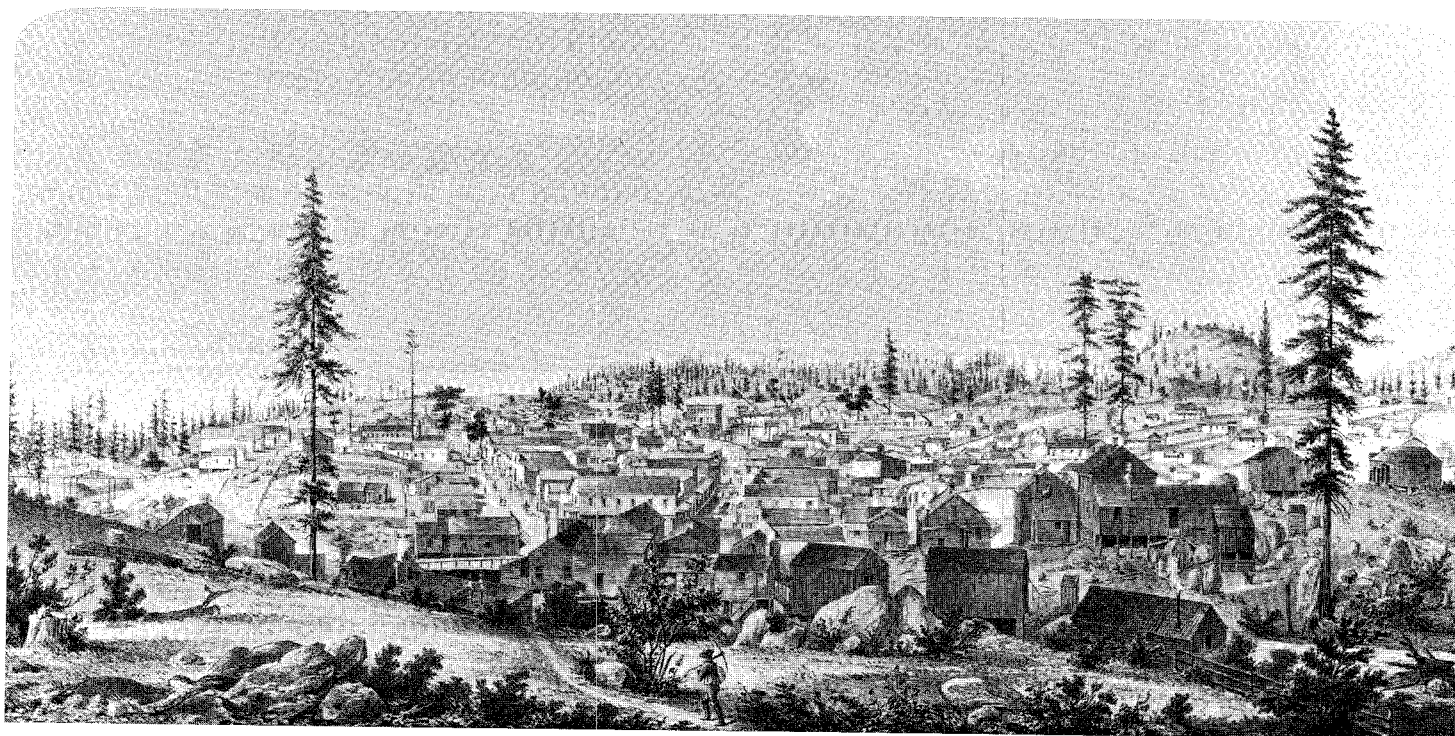
is generally within this revisionist tradition. If San Francisco really had been an open society, he contends, "the composition of the city's 1880 elite would have included fewer pioneer sons, considerably more Italians, Germans, Poles and Irish, and a far larger proportion of people who had, at one time in their life, worked with their hands." Decker admits that there was some upward mobility during the boom years from 1849 to 1853, but after that opportunities for occupational gains were no greater than in eastern cities.

The book does not quite live up to its subtitle. Decker deals almost entirely with merchants, not the whole white-collar class. But merchants are an interesting group, since the most successful of them became the city's first elite during the early Gold Rush years. According to Decker, this elite suffered greatly from the economic decline of the late 1850's, faced increasing competition from foreign-born businessmen during the 1860's, and largely lost out to new investors in transportation and industry during the 1870's. He interprets the emergence of the Vigilance Committee of 1856 and the Pick-Axe Handle Brigade of 1877 as attempts of the elite to maintain its status and power during times of economic hardship and social upheaval.

Much of Decker's evidence consists of biographical data programmed for analysis by computer. There also is a good deal of non-statistical material, including individual case-studies which give the book a welcome human dimension. Decker's most intriguing source is the nineteenth-century files of R. G. Dun Company (now Dun and Bradstreet) which contain credit reports on three million Americans, including many San Francisco merchants. These reports were remarkable invasions of privacy, containing much personal material and clearly favoring native-born, white people of "good family" and sober habits. Given the class and ethnic biases displayed by the reports, the success of San Francisco's German Jewish merchants is particularly impressive.

If nothing else, the book shatters the myth that all Gold Rush merchants made fortunes. Financial failure was common even in good years. Success depended not only on hard work, but also on family and friendship ties, access to eastern capital, and a good deal of luck. Decker analyzes some of the products of success: memberships in key social organizations and homes in elite neighborhoods apart from the working class districts.

The book's text is sometimes repetitive, and Decker oversimplifies the complicated phenomenon of California vigilantism. His data tell us nothing about the ultimate financial



and social status of the very large portion of merchants who left the city in mid-career. Nevertheless, the book provides a fine insight into the commercial life of San Francisco during its formative years and offers a challenging interpretation of the social development of a western American city.

The Richest Place on Earth: The Story of Virginia City and the Heyday of the Comstock Lode.

By Warren Hinckle and Frederic Hobbs. (Boston: Houghton Mifflin Company, 1978. x, 173 pp. \$14.95.)

Reviewed by Oscar Lewis, author of many books and articles on western history.

From the time the extent and richness of Virginia City's silver ore became known to the world, that Nevada town has never lacked historians. Beginning in 1876 with the publication of Dan De Quille's *The History of the Big Bonanza* (still one of the best of the lot), attempts to capture the peculiar interest and excitement of the place have been so numerous that today the literature of the Comstock—histories, biographies, books of reminiscences, even occasional novels and plays—fill several shelves in most libraries of Western Americana.

Why did this remote and relatively small community—during its heyday Virginia City had about the population of today's Modesto or Salinas—happen to gain so much at-

tention and to hold it so long? The answer to that question is suggested by the title of the present book, for there was a time when Virginia City might indeed have been "The Richest Place on Earth." So generous was the yield of its mines that one property, the Consolidated Virginia, was paying its lucky owners dividends of more than \$1 million per month, and others were not far behind. Because a few dollars invested in a Comstock stock could, and frequently did, increase in value a hundred-fold overnight, in San Francisco and elsewhere it set off an orgy of speculation in which virtually the entire population took part. Thus, trading in Comstock stocks produced a small group of multimillionaires while gathering in the savings of many thousands. Yet Comstock silver rebuilt much of downtown San Francisco, helped finance the North during the Civil War, and made Virginia City and its environs the wishing-well for the financially hopeful all over the West.

The volume under review is a brief but reasonably inclusive retelling of the familiar Comstock story. While it breaks no new ground—what new can be said at this late date?—it is well organized, fast paced, and holds the interest throughout. A word should be said about the illustrations, for here we have not the reproductions of pioneer photographs found in most Comstock books, but a series of drawings. The latter are both numerous, occupying at least a third of the book's less than 200 pages, and filled with action. In "Notes on the Drawings" at the end of the volume, the artist explains that the purpose of his dramatic treatment of his subjects was to convey "the experience rather than a picture of the experience." How well he succeeds in this each viewer must decide for himself.

California.

Edited by Robert F. Heizer. (Washington: Smithsonian Institution, 1978. Volume 8 in Handbook of North American Indians, William C. Sturtevant, Series Editor. xv, 800 pp. \$13.50.)

Reviewed by James J. Rawls, Department of History, Diablo Valley College, Pleasant Hill.

California is the most important book to be published in the field of California Indian studies since the appearance of Alfred Kroeber's *Handbook of the Indians of California* more than a half-century ago. Although the editor of the present volume cautions that it should be seen as a complement to, and not a replacement of, Kroeber's *Handbook*, most certainly *California* will now become the standard reference work on the California Indians.

In seventy-two chapters written by forty-seven different authors, this book—the first completed volume in the Smithsonian's new twenty-volume *Handbook of North American Indians*—offers encyclopedic treatment of the history and culture of the native people of California. More than half of the chapters describe a particular tribe or group of closely related tribes, covering such topics as social and political organization, religion, diseases and cures, material culture, literature, art, and music. Most of these chapters are written by anthropologists—such as Campbell Grant on the Chumash and Lowell John Bean on the Cahuilla—who are recognized authorities in their respective fields. California historians will

be especially interested in the summaries of tribal history included in each of these chapters. The tribal histories, which include not only accounts of early Indian-white relations but also such modern topics as the disputes between the Pit River Indians and Pacific Gas and Electric, constitute a comprehensive survey of California Indian history. These historical sections provide many opportunities for comparative study—one begins to understand, for example, why the Wiyot underwent virtual extermination while the neighboring Hupa were able to survive with territory and culture largely intact.

In addition to the chapters on individual California tribes, a number of chapters deal with more general topics such as Historical Demography (S. F. Cook), Basketry (Albert B. Elsasser), and Intergroup Conflict (Thomas McCorkle). Of special interest here is the survey of The Impact of Euro-American Exploration and Settlement by Edward D. Castillo, a former instructor in the Native American Studies Program at Berkeley. Castillo does an admirable job in compressing his topic into thirty pages of narrative, and in a separate chapter on Twentieth-Century Secular Movements, he provides a very useful summary of contemporary Indian affairs in the state. At some points his discussion of Indian-white relations in the Spanish period bears a remarkable similarity in tone and composition to Jack Forbes' *Native Americans in California and Nevada*. Castillo offers a revision of what he calls the "simplistic contention" that California Indians were a docile people rapidly subdued by Europeans. While it is true that Indian resistance to the Hispanic and Anglo-American presence in California often has been ignored by historians, Castillo may overstate his case by claiming that after 1769, California Indians were "locked in a violent struggle" for two centuries. The record of active resistance until 1873 is clear enough, but Castillo's evidence for the continuation of a "violent struggle" in the second century of contact is weak. Castillo also mistakenly identifies the "Episcopalian orders" as the group given responsibility for the California reservations in the 1870's; it was the policy of the Grant administration to fill positions in the California superintendency with ministers and laymen recommended by the Methodist Church.

Other strengths of *California* include its liberal use of photographs and drawings (many never before published), detailed maps of the territory of each tribe, and an excellent index which permits easy cross reference to hundreds of topics in California Indian history and culture.

The Chemehuevis, as rendered by H. B. Möllhausen



Collection, Use, and Care of Historical Photographs.

By Robert A. Weinstein and Larry Booth. (Nashville: American Association for State and Local History, 1977. 222 pp. \$16.00.)

Shoots: A Guide to Your Family's Photographic Heritage.

By Thomas L. Davies. (Danbury, New Hampshire: Addison House, 1977. 72 pp. \$3.95.)

Reviewed by Laverne Mau Dicker, CHS Photographs Curator and author of a forthcoming photographic history of the Chinese in San Francisco.

Since the birth of the daguerreotype in 1839, history and photography have been inseparable. Photographs preserve a single moment in history forever, impartially, and are thus an excellent tool with which to analyze the past. In recent years, public interest in historical photographs has been keen. "What was daily life like?" researchers ask. "What did people wear, what did their businesses look like, how did they furnish their houses?" Photographs of "the way it was" are widely used in books, films, television documentaries, and advertising. Enlarged into life-sized murals, they grace the walls of banks, restaurants, and boutiques. Archives and museums have begun to collect historical photographs in earnest, prompted by the ever-increasing demand for new and different views of the past.

Collecting photographs in large quantities presents special problems relating to organization, storage, and care, but until recently few guidelines existed. Last year, however, two dissimilar books on the subject were published.

Collecting, Use, and Care of Historical Photographs by Robert A. Weinstein and Larry Booth was an important publication for collectors and archivists. Written by two well-known California lecturer-consultants on historical photographs (Weinstein has an extensive private collection and Booth is Curator of Title Insurance and Trust's collection in San Diego), this book is without a doubt the most up-to-date, comprehensive guide of its kind. It provides excellent treatment of three universal curatorial problems—cataloguing, conservation, and restoration—and more importantly, offers possible solutions. A major fault of many technical works is

that answers are not carried far enough. The reader asks, "What should I store my photographs in?" and is told, "Triacetate sleeves." Period. Not so in Weinstein and Booth's book. A detailed appendix lists names and addresses of manufacturers and distributors, as well as additional sources of information.

Quite aside from its technical aspects, *Care of Historical Photographs* is interesting, offering something for everyone. It includes a concise history of photography and fascinating illustrations, e.g. a daguerreotype of Frederick Douglass; Chinese typesetters in San Francisco; a private Hollywood art gallery, circa 1900; Adam C. Vroman's camera club at Mission San Juan Capistrano. One would expect that such a definitive work would be the size of Webster's *Unabridged Dictionary*, but the authors have fit it all into 222 portable pages.

Where *Care of Historical Photographs* was aimed at a professional audience, *Shoots* by Thomas L. Davies was written with the amateur photohistorian in mind. It is a good, readable little book which attempts to help the reader organize the haphazard collection of snapshots every family has locked away in closets and attics, and it is especially strong in its treatment of photographic processing, e.g. printing glass negatives and cyanotypes, doing routine copy work. However, when dealing with restoration it is simply not detailed enough. Here, a little learning is a dangerous thing. Rare and valuable images can be lost through careless restoration techniques. Although Davies issues a brief warning about not touching a bare daguerreotype plate, he fails to mention that the chemical restoration process he outlines may dissolve delicate tinting; and that the thiourea solution may make the condition of a fogged plate worse. In like manner, he warns that nitrate negatives (used before safety film made its appearance in the early 1930's) are "quite combustible," but he does not emphasize that the material is capable of spontaneous combustion.

In short, *Shoots* is recommended background reading for the family shutterbug, but serious collectors and professionals in the field of historical photography will want to consult Weinstein and Booth's *Care of Historical Photographs*. Thomas L. Davies did.

California Check List

By Gary Kurutz, *Library Director*

The California Check List provides notice of publication of books, pamphlets, and monographs pertaining to the history of California. Readers knowing of recent (1978-79) publications which need additional publicity are requested to send the following bibliographical information to the compiler of this list: Author, title, location and name of publisher, date of publication, number of pages, price, and address where item can be purchased if not carried at general bookstores.

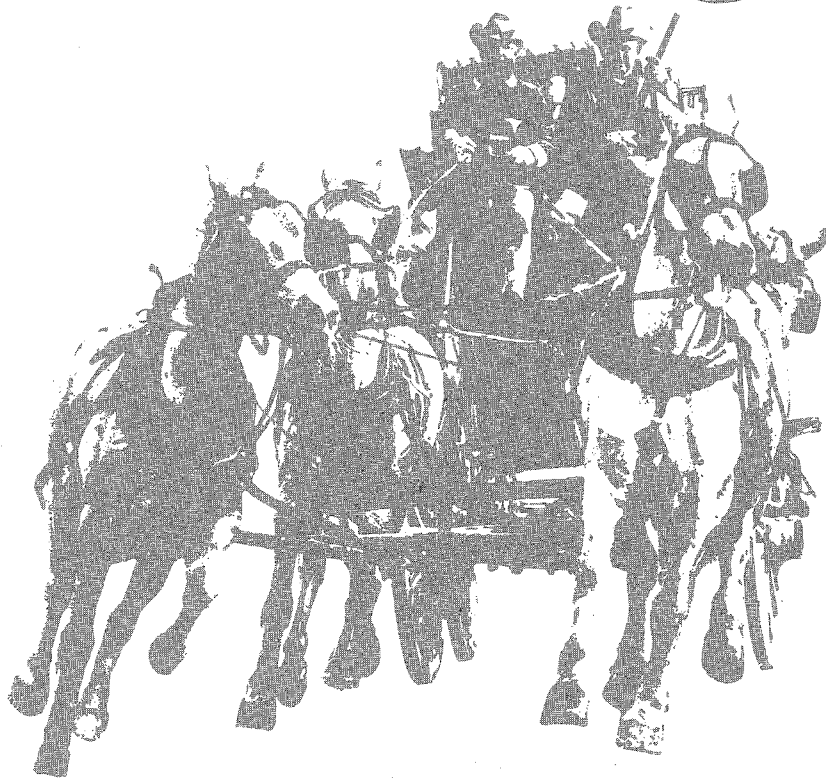
- Anderson, Eugene N. *Annotated bibliography of the Chumash and their predecessors*. Rev. ed. Socorro, New Mexico: Ballena Press, 1978. 82 pp. Publisher, P. O. Box 1366, Socorro, New Mexico 87801. \$5.95.
- Potter, Theodore Edgar. *The autobiography of Theodore Edgar Potter*. Ann Arbor: Historical Society of Michigan, 1978. 251 pp. Publisher, 2117 Washtenaw Avenue, Ann Arbor, Michigan 48104. \$9.95.
- Bagley, Helen. *Sand in my shoes. Homestead days in Twenty-Nine Palms*. San Bernardino: D-J Books, 1978. Publisher, P. O. Box 3352, San Bernardino, California 92413. \$8.95.
- Bergon, Frank and Zeese Papanikolas (eds.). *Looking far west. The search for the American West in history, myth, and literature*. Bergenfield, New Jersey: New American Library, 1978. 476 pp. Publisher, 120 Woodbine Street, Bergenfield, New Jersey 07621. \$2.50.
- Bowen, Helen Gilman. *Mount Shasta or bust*. Fullerton: by author, 1978. 189 pp. Little Professor Book Center, 148 E. Yorba Linda Blvd., Placentia, California 92670. \$13.95.
- Brown, Lauren R. *The Point Loma Theosophical Society: A list of publications, 1898-1942*. San Diego: Friends of the University of California at San Diego Library, 1977. Publisher, San Diego, California 92115.
- Burmeister, Eugene. *The Golden Empire; Kern County, California*. Beverly Hills, California: Autograph Press, 1977. 168 pp.
- Carlson, Dick. *Women in San Diego . . . a history in photographs*. San Diego: San Diego Historical Society, 1978. Publisher, P. O. Box 81825, San Diego, California 92138. \$1.00.
- Cars of Pacific Electric*. Vol. III. Glendale: Interurbans, 1978. 336 pp. Publisher, P. O. Box 6444, Glendale, California 91205. \$12.00.
- Decker, Peter. *Fortunes and failures. White collar mobility in nineteenth century San Francisco*. Cambridge: Harvard University Press, 1978. 336 pp. \$20.00.
- Early man of the Monterey peninsula*. Monterey: Monterey County Archaeological Society, 1978. Publisher, P. O. Box 4606, Carmel, California 93921. \$6.95.
- Easton, Robert. *Guns, gold, and caravans: The extraordinary life of Fred Meyer Schroder*. Santa Barbara: Capra Press, 1978. 256 pp. Publisher, 631 State Street, Santa Barbara, California 93101. \$11.95.
- Hague, Harlan. *The Road to California; the search for a southern overland route, 1540-1848*. Glendale: The Arthur H. Clark Company, 1978. 325 pp. Publisher, Box 230, Glendale, California 91209. \$20.50.
- History and Business Directory of Shasta County, 1881*. Redding: Shasta Historical Society, 1978. Publisher, P. O. Box 277, Redding, California 96001. \$12.50.
- Hill, Dorothy J. *The Indians of Chico Rancheria*. Chico: Bidwell Mansion Cooperating Association, 1978. Publisher, 525 Esplanade, California 95926. \$3.20.
- Hogue, Helen. *Wintu Trails*. Rev. ed. Redding: Shasta Historical Society, 1977. 96 pp. Publisher, P. O. Box 277, Redding, California 96001. \$4.00.
- Japanese American Citizens League. *The Japanese Incarceration: A case for redress*. San Francisco: The National Committee for Redress, Japanese American Citizens League, 1978. 28 pp. Publisher, National Headquarters, 1765 Sutter Street, San Francisco, California 94115. No charge for single copies.
- Kroeber, A. L. *Yurok Myths*. Berkeley: University of California Press, 1978. 528 pp. \$6.95 paper, \$18.50 cloth.
- Lockwood, Charles. *Suddenly San Francisco*. San Francisco: A California Living Book,

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1978. 176 pp. Publisher, San Francisco Examiner, The Hearst Building, Third and Market Streets, San Francisco, California 94103. \$9.95.
- Meltzer, Milton. *Dorothea Lange; a photographer's life*. New York: Farrar, Straus & Giroux, 1978. 399 pp. \$15.00.
- Parker, J. Carley (comp.). *A personal name index to records of California men in the war of the rebellion, 1861-1867*. Detroit: Gale Research Company, 1978. 153 pp. Publisher, Book Tower, Detroit, Michigan 48226. \$22.00.
- Partridge, Loren W. *John Galen Howard and the Berkeley campus: Beaux-Arts architecture in the "Athens of the West."* Berkeley: Berkeley Architectural Heritage Association, 1978. 65 pp. Publisher, P. O. Box 7066, Berkeley, California 94707. \$5.55.
- Perez-Venero, Alex. *Before the five frontiers; Panama from 1821 to 1903*. New York: AMS Press, Inc., 1978. 199 pp. Publisher, 56 East 13th Street, New York, New York 10003. \$16.95.
- Perry, Stewart E. *San Francisco scavengers; dirty work and the pride of ownership*. Berkeley: University of California Press, 1978. 236 pp. \$10.95.
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- Reps, John W. *Cities of the American West; a history of frontier urban planning*. Princeton: Princeton University Press, 1978. 704 pp. \$75.00.
- Robertson, Thomas. *Baja California and its missions*. Glendale: La Siesta Press, 1978. 96 pp. Publisher, P. O. Box 406, Glendale, California 91209. \$3.50 paper, \$8.00 cloth.
- Romo, Ricardo and Raymund Paredes (eds.). *New directions in Chicano scholarship*. La Jolla: University of California at San Diego, 1978. 268 pp. Publisher, Chicano Studies Program, University of California at San Diego, La Jolla, California 92093. \$5.95.
- Salzman, Ed and Ann Leigh Brown. *The cartoon history of California politics*. Sacramento: California Journal Press, 1978. Publisher, 1617 Tenth Street, Sacramento, California 95814. \$5.25.
- Satorius, Veronica. *Between the lines: The Catholic Church in Shasta County, California, 1853-1977*. Redding: St. Joseph Parish, 1978. illus. 414 pp. Publisher, St. Joseph Parish, 2040 Walnut Avenue, Redding, California 96001. \$11.60.
- Schmitz, Anne-Marie. *In search of Steinbeck*. Los Altos: Hermes Publications, 1978. 31 pp. Publisher, P. O. Box 397, Los Altos, California 94022. \$35.00.
- Selby, John. *The Eagle and the Serpent: The Spanish and American invasions of Mexico, 1519 and 1846*. New York: Hippocrene Books, Inc., 1978. 163 pp. Publisher, 171 Madison Avenue, New York, New York 10016. \$12.95.
- Shor, Elizabeth Noble. *Scripps Institution of Oceanography; probing the oceans 1936 to 1976*. San Diego: Tofua Press, 1978. 502 pp. Publisher, 10457 Roselle Street, San Diego, California 92121. \$8.95 paper, \$17.95 cloth.
- Shumate, Albert. *Francisco Pacheco of Pacheco Pass*. Stockton: University of the Pacific, 1977. 47 pp. Publisher, Holt-Atherton Pacific Center for Western Studies, University of the Pacific, Stockton, California 95211. \$4.50 including tax and handling.
- Smith, Genny Schumacher (ed.) Rev. ed. *Deepest valley; a guide to Owens Valley and its roadsides and mountain trails*. Palo Alto: Genny Smith Books, 1978. 240 pp. Distributed by Wm. Kaufmann, Inc., One First Street, Los Altos, California 94022. \$6.95.
- Tikhmenev, P. A. *A history of the Russian-American Company*. Seattle: University of Washington Press, 1978. 522 pp. \$32.50.
- Time-Life Books. *The Women*. Text by Joan Swallow Reiter. Alexandria, Virginia: Time-Life Books, 1978. 240 pp. \$10.00.
- Wienpahl, Robert (ed.) *A gold rush voyage on the bark Orion*. Glendale: The Arthur H. Clark Company, 1978. 298 pp. \$18.25.
- Waldhorn, Judith Lynch and Sally B. Woodbridge. *Victoria's legacy; tours of San Francisco Bay Area architecture*. San Francisco: 101 Productions, 1978. 224 pp. Publisher, 834 Mission Street, San Francisco, California 94103. \$5.95.
- Walker, Jim. *Key system interurban*. Glendale: Interurbans, 1978. 120 pp. Publisher, P. O. Box 6444, Glendale, California 91205. \$16.00.
- Weber, Francis J. *California mission poetry*. Los Angeles: Dawson's Book Shop, 1978. 240 pp. Publisher, 535 N. Larchmont Blvd., Los Angeles, California 90004. \$12.00.
- Wilkes, Charles. *Autobiography of Rear Admiral Charles Wilkes, USN, 1798-1877*. Washington, D. C.: Government Printing Office, 1978. 944 pp. \$13.50.
- Young, Helen D. *Arbuckle and College City*. Fresno: Pioneer Publishing Company, 1978. 182 pp. Publisher, Valley Publishers, 8 East Olive Street, Fresno, California 93728. \$19.95.

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California Grizzly

By Tracy I. Storer and Lloyd P. Tevis, Jr.

This comprehensive account of the California grizzly (originally published in 1955) is the result of a long search through the historical, anthropological, and zoological literature of California. It describes the place of the bear in nature and its relation to man throughout California history. The methods of hunting and exploits of hunters are told, together with stories of some famous captive grizzlies. An appendix includes the first list ever assembled of all known specimens of the California grizzly.

xii, 335 pages, illustrated, maps.

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